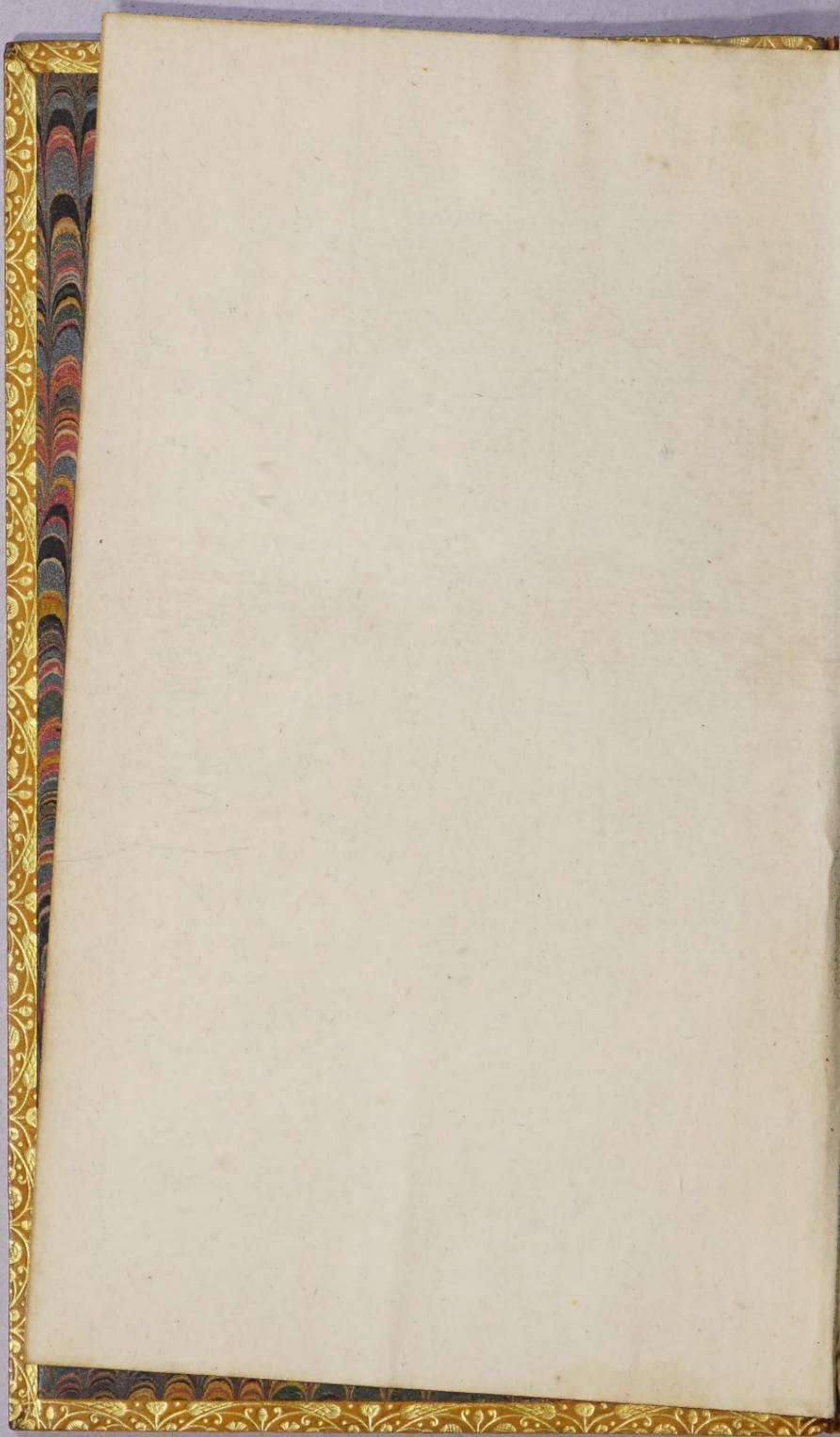


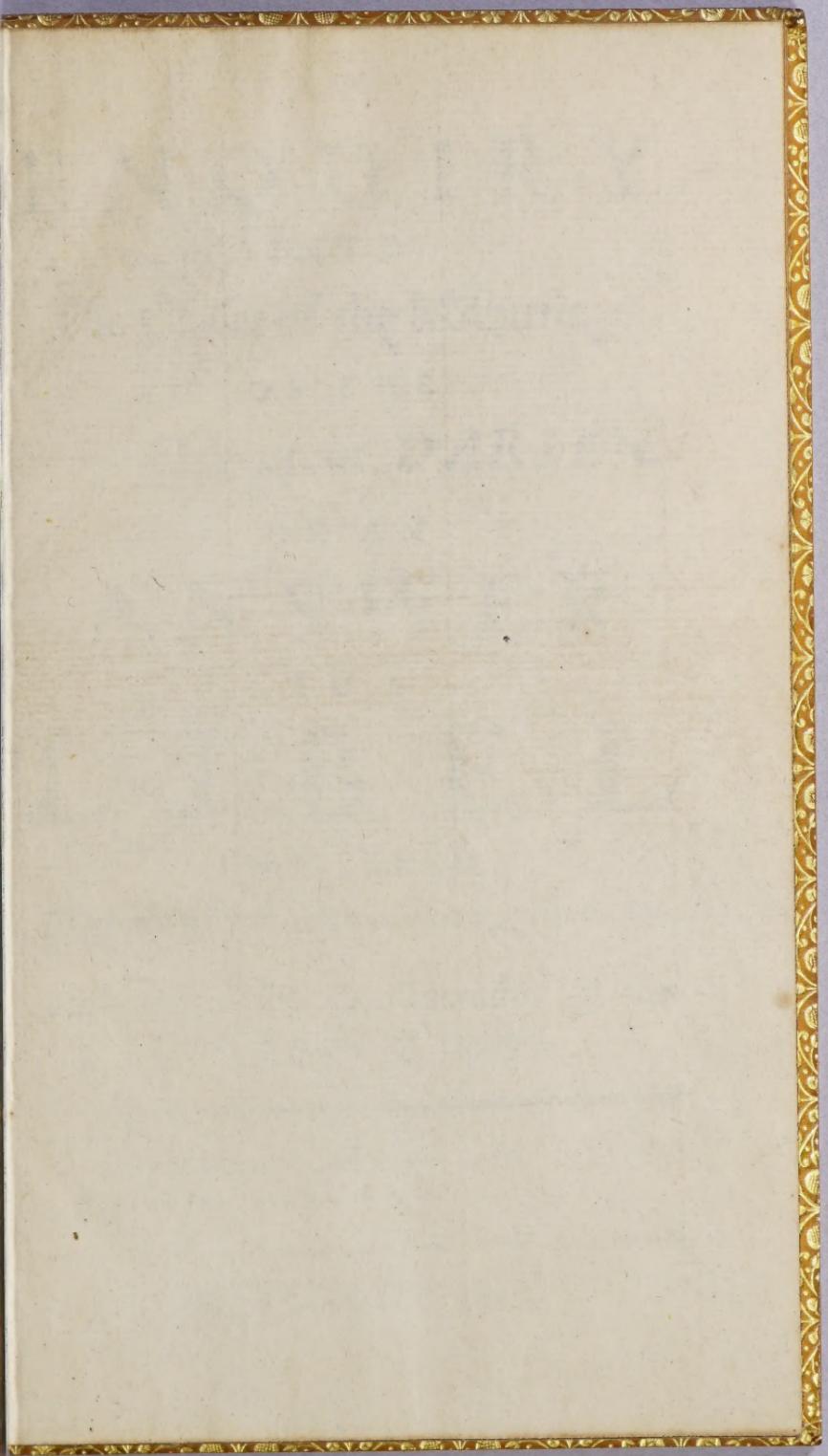


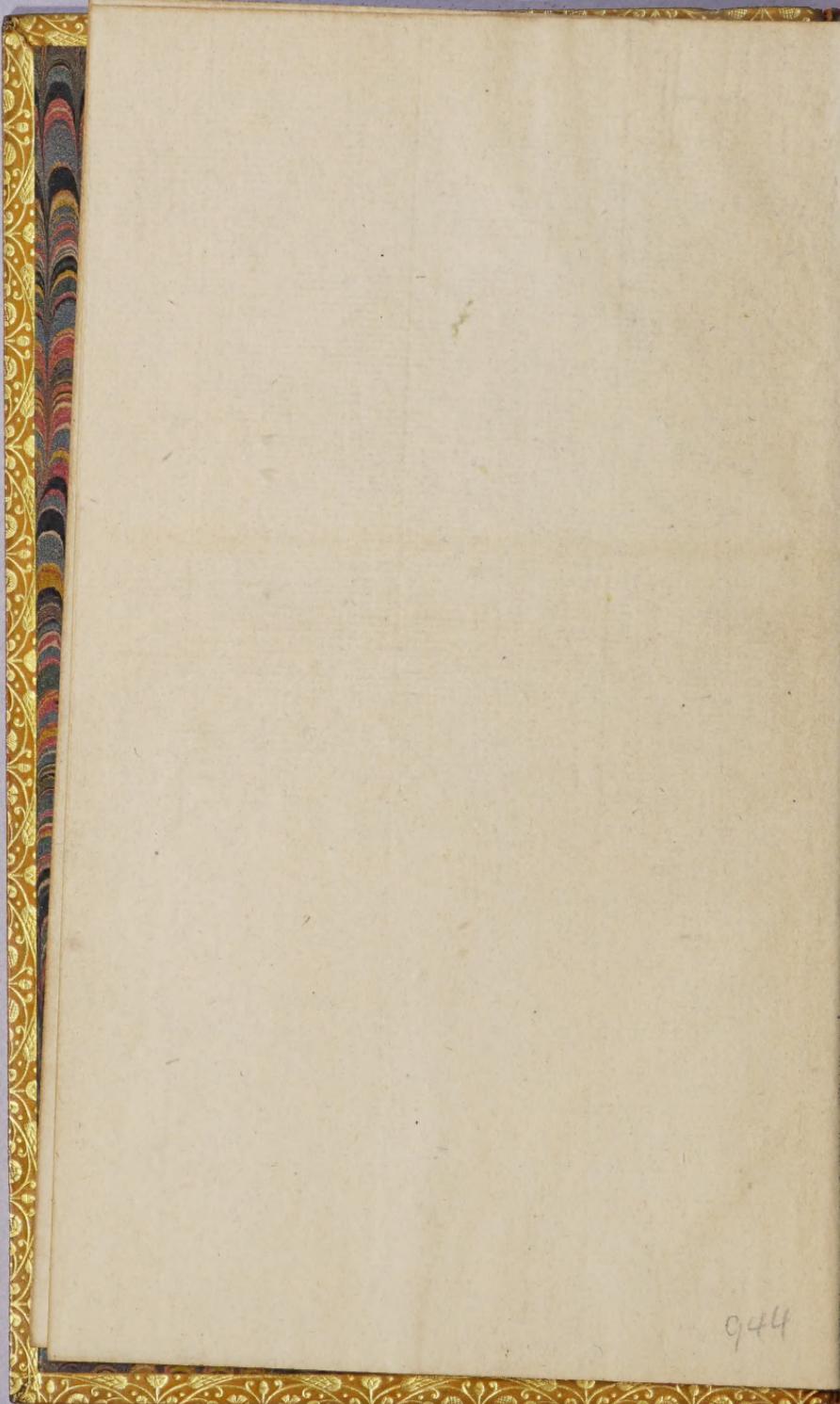


John Carter Brown.









A N
E N Q U I R Y
I N T O
The Causes of the Miscarriage
O F T H E
Scots Colony at *DARIEN.*

O R A N
A N S W E R
T O A
L I B E L

E N T I T U L E D
A Defence of the Scots Abdicating DARIEN.
Submitted to the Consideration of the
Good People of England.

— *Paries cum proximus ardet*
Res tua tunc agitur. —

G L A S G O W . 1700.

JOHN CARTER BROWN

The Introduction.

THE just Horrour that all honest men conceiv'd at the harsh and unneighbourly Treatment of the Scots Colony at *Darien*, laid the Gentlemen who have been most active against it, under a necessity of blackening the Reputation of those concern'd in that Settlement. This they thought necessary, in order to prevent any enquiry, that perhaps might be made: Why a Neighbouring Nation united to the Kingdom of *England* by Situation, Government, Interest, Religion, Affection, and constant Inter-marriages, should be provok'd and traml'd upon in such a manner, contrary to their own Laws and Original Constitution, and which may pave the way in time for Treating our Neighbours in the same manner.

To prevent any such Enquiry, those
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Gentlemen that have been pleas'd to signalize themselves as much by their hatred to the Scottish Nation, as the latter have signalized their Valour and Affection, for our common Liberty and Religion, have been at pains and expence to save the Libeller *H-*s from the Gallows, by putting a stop to his Trial, and filling his Pockets with Money, on condition that he would bespatter the Reputation of the Scots Colony and their Masters: The Crime is indeed unnatural for a man to turn Renegado and a Traitor to his Country; none but a Monster like *H-* the Surgeon could have entertain'd such a Thought: He sold his God in the Last Reign, by turning Papist, and therefore 'tis no great Wonder he should sell his Country in this, and solemnly renounce his going Northward for ever, provided he might he secur'd against going Westward for once.

This being the Case of the Doughty Evidence, that the Faction have produc'd against the Scots Colony; we leave it to the World to judg what credit ought to
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be given to his Testimony, since it appears that he hath giv'n it in to save his Life, to gain Money, and to give vent to his Malice. The latter he owns in the beginning of his Book, and repeats it again p. 161. where he says he took this way to right himself, because of the Scots here in Town being on his Top, and of some other harsh usage which he receiv'd at the hands of the Scots Company.

The very manner of giving in his Evidence lays him open to the Lash of the English Law; and it is to be presum'd that his train of Blasphemies, and constant ridiculing the Text, would have been taken notice of ere now by a certain Court at the West end of Paul's, but that he is protected by some Gentlemen belonging to a Court at the West end of the Town.

His invenom'd malice is demonstrable, by the sport he makes to himself throughout his Libel at the Calamities and Misery of his Fellow-Creatures and Countrymen; so that never did any man more exactly fill up the Character

of

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of a Renegado than himself : for as those Miscreants stab an Image of our Saviour to the Heart, as a proof of having absolutely denied him ; *H--s* hath in the same manner done all he could to stab the Reputation of his native Country, as a certain evidence of his being turn'd a Monster in Nature ; for which even they that employ him must needs abhor him, - except they love to see the Image of their own Crimes in his Lovely Features.

We have not enter'd upon the detail of his malicious Lies with which he hath stuff'd his Book, but have only pointed at the chief of them which are so very notorious, as may well put his Suborners to the Blush, that they should not have either taught him his Lesson better, or have seen he had conn'd it more exactly ; for they are such gross Contradictions either to common Sense or to what he himself has advanc'd in his Libel, that none but one who had swallow'd Transubstantiation could be guilty of the like.

It's needless to enlarge upon his Character, since it's impossible to conceive

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a worse Idea of him than all Men of Sense will immediately form to themselves, when they know he is a Traitor to his Country.

He was formerly a Surgeon in the Fleet, and made some Interest amongst the Officers, by Female Mediation, which was allow'd him by his last Religion (for his Book shews that now he has none.) Hence it is, that he expresses himself so readily in the Dialect of his Office, and talks of *Bullying* Kings in his Dedication, to shew us that he was acquainted with B--dy-house Rhetorick, and they that know his Friends in *Little—B—n*, say he has convey'd his Libel to the World through a very proper Channel.

Whilst he was a Surgeon in the Fleet, his ill Nature having condemn'd him to perpetual Broyls, he had the Impudence to draw upon his Captain ashore, who wounded him so as 'twas thought might have put a period to his Infamous Life, upon which his Captain was Confin'd, but the Wound not being Mortal, the Gentleman was set at Liberty, and returning on Board, a Council of War was held, by which *H--s* was like to have had an Exit more answerable to his desert, at the Yard-Arm ; but that one of our Country-men who Commanded in the Place, sav'd him out of Pity, and whilst he was sculking at *London* to avoid this Prosecution; others of them out of

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Compassion hir'd him to go along with their Fleet, for which he hath made his Country such a Grateful Reward, as hath verify'd the Proverb, *That save a R---gue from the Gallows he shall be the first that will cut your Throat.* We leave his Suborners to think on't.

His Captain being thus disappointed of having Justice executed, was forc'd to content himself with *Pricking him Run*, that he might not have any claim to his Wages; but since his return from *Darien*, and engaging in the Honourable service of Reviling and Belying his Country, his Suborners out of their innate Bounty and Gratitude, have got him deliver'd from all farther Prosecution, entitled him to his Wages, and given him the opportunity to value himself upon his Correspondence at the Court end of the Town, so that now he thinks himself sure of a Patent for Life, and that he shall never be oblig'd to go up *Holborn-Hill* except his important occasions call him now and then that way, to enable him to pay his present Debts, when some of his Brethren, pass that Road to pay their last.

It had been easie for us to have given such a History of his Life as would have put his Suborners to the blush, but we reserve that to make use of as we shall see occasion; what's said is enough to let them know how much they are to trust to his Evidence, if they think fit to make further use of him, either by Libelling his Country, or accusing any of those great Families he threatens in his Dedication.

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AN INQUIRY

INTO

The Causes of the Miscarriage of
the *Scots* Colony at *Darien*.

THE main design of *H—s* and his Sub-
orners, is to charge the Miscarriage
of the *Scots* Colony upon their own
Country, to clear some Gentlemen that
perhaps may be found within the Verge of *White-
Hall*, from having any hand in it, and to evince the
necessity of those Proclamations publish'd against
the *Scots* in the *West-Indies*, so as no Person or Party
in *England* may seem justly chargeable with the
ruin of that Colony; a certain Evidence that the
Crime is very black, and that they are put to a
miserable shift, when those Gentlemen are at such
expence of Contrivance and Pains to wipe off the
Imputation, and so ready to fall in with any Tool
that they think can assist them in so doing.

Enough has been said already to demonstrate
that the evidence of such an infamous Person as
H—s, and so circumstantiated, would not be
admitted in any Court of Judicature in *Europe*,
especially against such an honourable Society as
the Company of *Scotland* for trading to *Africa* and
the *Indies*, which consists of the very flower of
the Nation, and perhaps has more Persons of illus-

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strious Birth, Quality and Merit in it, than any trading Company that ever yet was erected in the World. The Directors particularly, whom *H*—s and his Masters have condemned to the Halter, p. 46. are most of them Persons of that Quality, Estate, Worth, and untainted Honour, as the Accusation of no one particular Person, tho' of never so good Repute, could in justice or decency be admitted against them, and much less the malicious Calumnies of a Renegado.

But to set this matter in a clearer Light: Where-as we have only *H*—s own word for what he asserts in vindication of his Friends and Suborners; we shall demonstrate against him and them too from undeniable matter of Fact, that some People in *England* are justly chargeable with the ruin of that Colony.

We shall begin with the opposition made to the *Scots* Act by the Parliament of *England*, (to whom the matter was misrepresented) the Answer they obtain'd from the King, and the Prosecution they commenc'd and threatned against *English* Natives, and *Scots*-men residing in *England*, that should subscribe to the *Scots* Company.

In the next place we alledg the *English* Resident's Memorial at *Hamburgh*, against that Governments suffering any of their Subjects to subscribe to the *Scots* Company.

It is likewise well enough known that the Influence and Example of the *English* Court hinder'd the Subscriptions of our Neighbours in *Holland*.

Nor can it be denied but this continued Thread of Opposition from the Court of *England*, must needs hinder the Subscriptions of a great many in *Scotland*, who could not but foresee that a Storm was threaten'd by so many Clouds.

To this we may add, that the Kingdom of *Scotland* have not yet forgot the discourting of the Marquis of *Tweddale* (who was known to be an able Statesman, and a true Patriot to his Country) because of his touching that A^t, when he had the Honor to represent his Majesty on the Throne.

Nor was it the least of our Misfortunes, that we lost such an able and faithful Minister of State as Secretary *Johnston*, and that too upon the account of his Affection to his Country in this matter. We are very well satisfied that his Majesty, who advanc'd him to that Post for his Merit, and was so well satisfied with his ability and care, would scarcely have parted with a Minister of that Gentleman's Faithfulness and Penetration, but by the Intrigues of some People at Court.

Before we proceed any further with the Narrative of the Opposition made to us, we shall obviate one Objection which some Persons may possibly make, *viz.* That all we have said hitherto is nothing to the purpose, because it does not regard our Colony, but the Company. To which we reply: 1. That this is so far from being an Excuse to our Opposers, that it highly aggravates our Charge against them, as being a plain demonstration, that they were resolv'd to obstruct our Trade in every respect, and whatever it should be, without any exception. 2. That the opposing of the Company was the direct Method to prevent our ever having a Colony; and by the Laws of God and Man, those who endeavour to destroy the *Embrio*, are chargeable with a design of preventing the Birth. But we shall come closer to the point in a little time, and resume the thread of our Narrative after one or two Observations upon what we have said already, *viz.*

(1.) That the greatest of those Difficulties and Disappointments which *H—s* says in his Book, the Company met with as to their Subscriptions, Payments, &c. may justly be charg'd to the account of that opposition made us from the Court of *England*.

(2.) That there is so little reason to upbraid us, that our Efforts were not greater, that it is rather to be wonder'd at that the Company was not dash'd to pieces and crush'd in the bud ; and much more that ever they should have been able to weather out the Storm of so much Indignation, overcome all those Difficulties, find Mony enough to build Ships, equip out a Fleet, and make a Settlement in *America*, when neither *England*, nor *Scots-men* residing there, *Hamburgh* nor *Holland*, shall dare to assist them without incurring his Majesty of *England's* displeasure.

But to come directly to the Narrative of the Opposition made to our Colony. It is well enough known that the Kingdom of *Scotland*, as many other Parts of *Europe*, have suffered much for three or four years past by bad Harvests, which rendred them uncapable of providing Bread for their People at home, and much more of sending Supplies to their Infant Colony abroad : This was very manifest to some People about *White-ball*, and care was taken we should have none for our Mony from *England*, tho that Nation could have spar'd it, and perhaps we might have pleaded it as our merit, when in Parliament we voted his Majesty a standing Army, upon his Royal Word that it was necessary, tho we had more need to have fav'd the Mony to have bought Bread for thousands of our People that were starving for want, afforded us the melancholy prospect of dying by Shoals in our Streets, and have left behind them a

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reigning Contagion, which hath swept away multitudes more, and God knows where it may end.

Tho our Country was reduced to this deplorable state, that a generous Enemy would have shew'd us compassion, yet the malice of our Court Adversaries did not rest here, nor with having follow'd us into *Holland* and *Germany*, but pursues us into *America*; and with Angry Proclamations forbids the Subjects there, on pain of his Majesty's Displeasure, to afford any manner of assistance to the *Scots* at *Darien*: So that we are starv'd at home and abroad by our Enemies at Court, who having by this means dispossess'd us of our Colony at *Darien*, and knowing that the good People of *England* had reason to cry shame upon them, and might perhaps take their own time to resent this inhuman Treatment of their Neighbours in *Scotland*; therefore they found it necessary to suppress a Book wrote in defence of the *Scots* Settlement, and to hire a *Scots* Renegado Surgeon to varnish over the matter, and to represent his Countrymen as Knaves and Fools, that so they might fall unpitied.

To return again to the Opposition made us in *America*: It is not enough that we are starv'd out of *Darien*, but when we come from thence, and so leave what the Proclamations suppose to be *the Dominions of their Allies*, yet we must not be supplied in the *English* Plantations, nor have Provisions in exchange for our effects, tho our Men be dying for want, on pain of incurring the Displeasure of the Court; and therefore those who are willing to relieve us, must put their Inventions on the rack to find out a way to do that with safety, which common Humanity, and much more Christianity, obliges them to do to a Turk or a Jew in the like circumstances.

Nay farther, tho notwithstanding our distress at home, we make shift to send a Convoy to our Colony abroad, because our future hopes depended so much upon it, they shall not have leave to put in to any English Port to refit, refresh, or stay for any of their Company that may be separated from them by storm ; and yet our Friends who were so instrumental in obtaining and publishing those Proclamations, must bribe a Renegado to declare to the World in print, that they were no way accessary to the Blood of his Country-men that were starv'd to death at Darien.

It will appear plain that the Ruin of the Colony is chargeable on the Proclamations, if we consider the Consternation that must needs be among them when they saw themselves condemned, as having invaded the Dominions of his Majesty's Allies ; so that they had all the reason in the World to think that they were not only precluded from all possibility of having any further supply or assistance from home, but in danger of being attack'd by his Fleet, as they that advis'd the emitting of those Proclamations must needs think his Majesty was oblig'd in Honour and Justice to order, if he was of opinion that the *Scots* had broken the Alliance betwixt him and *Spain*. Let any reasonable man consider what Anguish and Perplexity these Considerations, join'd to their pinching Wants and other Circumstances, must occasion in the minds of those poor men, and whether it might not give a handle to those of them that were unwilling to stay, to mutiny against the rest, and put all into disorder, which might be fomented by other ill persons amongst them ; for we are not to suppose that with 11 or 1200 men, there went no other ill man but *H—s*, since it's not improbable that they who opposed our Company so much from the very begin-

beginning, might be prompted by the same Malice to send Spies and Traitors amongst our Men on purpose to defeat their Design.

If it had not been that they were thus disengaged and brought to their wits-end by those Proclamations, they would certainly have had so much Conduct as to have sent away a great part of their Men to *Jamaica*, or any of the *English* Plantations, where they might have subsisted till the arrival of a Convoy from *Scotland*; and so with those Provisions that were sufficient to carry them as far as *New-York*, and a great deal further if they had not been retarded by Tempests, might have maintain'd a competent number of their Men to keep possession of the Colony till Supplies had arriv'd: but the Proclamations disabled them from taking this Method, and by consequence are chargeable with the ruin of the Colony.

In the next place, it is undeniable that those Proclamations must needs have encouraged the *Spaniards* and other Enemies in their Opposition against our Colony, and animated them to go on with their Preparations to drive us out. So that had they deserted upon no other account but the noise of the great Preparations making against them by the *Spaniards* at *Carthagena*, *Porto-Bello*, &c. as Sir *William Beefton* seem'd to insinuate in his Letter; it makes the Proclamations directly chargeable with the Ruin of the Colony, since they had good reason to remove from thence when their own Prince had forbid all Commerce with them, and when their Enemies were making formidable Preparations against them.

It is likewise plain that those Proclamations must necessarily prevent their having any Supplies from the *Dutch* at *Curassaw*, if they had any to spare: for since the Influence of ours and the *Dutch* Court

prevented our Company's having any Encouragement in *Holland*, it is reasonable to believe it would have the same influence in reference to our Colony, in the *Dutch* Plantations.

We have likewise all the reason in the world to conclude, that the Influence of those Proclamations might hinder the Natives from giving our Colony those Supplies that it was in their power to have done; for there's no doubt but they had information of 'em industriously sent them by some of our Adversaries, when Capt. *Long* was so malicious as to endeavour at our first arrival to possess them with an opinion that we were nothing but *Pirats*, and that the K. of *Great Britain* would disown us; and indeed by the event it would seem he had Instructions so to do. It is true that at first the Natives seeing our Men have a Competency of all sorts of Provisions, might not believe his Report; but they must needs have been confirm'd in the truth of it afterwards, when they saw them dying for want, and deceiv'd as to their Expectation of further Supplies; and upon that account might think they had sufficient ground to withdraw their Assistance from them, and not further provoke the *Spaniards* in favour of a People that they found were not able to do any thing for themselves, and by consequence uncapable to protect them, which was the thing they were to expect from their *Alliance*.

Having thus made it evident that the Opposition our Company met with from Court at first, and the Proclamations issued against our Colony at last, are justly to be reputed among the principal Causes of the Miscarriage of that Design, we come in the next place to consider his Majesty's Answer to the Address of the Commons of *England* on that Head, and the Proclamations issued out against us in his Name in the *West-Indies*.
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We are sorry that ever there should have been any occasion for such an ungrateful piece of work ; but think it a Duty incumbent upon us, and what we owe to the Constitution of our Country, which we have reason to believe is industriously conceal'd from his Majesty, to write freely on this head, that the World may see what just cause we have to complain.

His Majesty's Answer, *That he had been ill serv'd in Scotland, &c.* is such, as our Ancestors (if we may believe our Historians) would have thought inconsistent with the Trust reposed in a King of *Scots*, a manifest Reflection upon the Justice and Fidelity of the Nation, and a discovery of their *Arcana Imperii* to those that were quarrelling with them. We are not to suppose that his Majesty would give an Answer to an Address of this Importance without Counsel : If he consulted with our *Dutch* or *English* Opposers, it was the same as if he had consulted our professed Enemies ; if he consulted with *Scots*-men, and was advis'd to this Answer by any of them, they are Traitors to their Country, and have betray'd its Sovereignty : for they ought to have advis'd him to answer, that as King of *Scots* he was not to give an account to the *English* for any thing transacted in that Kingdom ; but if they found themselves any ways aggrev'd, or thought their Trade endanger'd by the *Scots* Act, he should be willing to have the matter debated and adjusted by Commissioners of both Nations, as became the Common Father of both. This could not justly have been look'd upon by the *English* as a refractory or stubborn Answer, but must have been imputed to his braveness of Temper, and fidelity to his Trust. But at once to give up the Sovereignty of *Scotland*, without demurring upon it, argues that his Majesty was advis'd to

to this Answer by Enemies to the *Scotish* Nation.

Our Parliaments have originally a greater Power than that of *England*; for what the States of *Scotland* offer'd to the touch of the Scepter, their Kings had no power to refuse; or if they did, the Resolves of the States had the force of a Law notwithstanding. Thus our Reformation was established in 1560. by an Act of the States; and tho our Queen *Mary* then in *France*, and her Husband the *Dauphin*, afterwards *Francis I.* refus'd to give their Consent, it remain'd a firm Law; which Q. *Mary*, when she return'd to *Scotland*, was so far from offering to dispense with, tho she was a great Asserter of her Prerogative, that she was oblig'd to intreat of the States so far to dispense with it themselves, as to suffer her to have Mass in her own Family. We might go farther back to the Reign of *Robert II.* who was check'd by the States for making a Truce with the *English* without their Consent, it not being then in the power of our Kings either to make Peace or War without the States. But the Truth of that Maxim laid down by our Historian, *That the supreme Power of the Government of Scotland is in the States*, is so obvious to every one that reads our History, that it cannot be denied; and hence it is that our old Acts of Parliament are often call'd the *Acts of the States*, and say, *The three States enact*, &c. for by our Original Constitution the King is none of the States, but only *Dux belli*, and *Minister publicus*; which was well understood by our Viceroy the E. of *Morton*, and the other Deputies from the States of *Scotland*, when they acquainted Q. *Elizabeth* in their Memorial, *That the Scots created their Kings on that condition, that they might, when they saw cause, divest them of that Power which they receiv'd from the People*, which we have now reasserted in making
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our Crown forfeitable by the *Claim of Right* at the last Revolution: and perhaps that's none of the least Causes why our Ruin is now endeavour'd by the Abettors of a growing Prerogative.

It were easy for us to enlarge on this, and to shew from our Histories and Acts of Parliaments, that our Kings, according to our antient Constitution (which those Rapes committed on our Liberties in some of the last Reigns can never overturn) were inferior to their Parliaments, who inthron'd and dethron'd them as they saw cause, made them accountable for their Administration, allow'd them no power of proroguing them without their own consent, nor of hindering their meeting when the *ardua Regni negotia* requir'd it. They could not make Peace or War without them, nor so much as dispose of their Castles, but by their Consent. Their Councils were chosen and sworn in Parliament, and punishable by the States: Nor had they any Revenue, but what their Parliaments allow'd them. These and many more were the native Liberties of the People of *Scotland*, as may be seen in our Histories, the Acts of all the *James's*, the Protestation of the States of *Scotland* in 1638. and their Representation of their Proceedings against the Mistakes in the King's Declaration in 1640. And therefore his Majesty had no reason to say he was ill serv'd by the passing of an Act offer'd by the States of *Scotland*.

The Ignorance of those things have often occasion'd our being misrepresented by the English Historians, and other Writers, as Rebels, and what not, when we really acted according to our own fundamental Laws. And not only they, but even our own Princes since the Union of the Crowns, have either been kept ignorant of our Constitution, or so incens'd against it by the Abettors of Tyranny,

Tyranny, that they have all of 'em, his present Majesty excepted, endeavour'd our Overthrow, as well knowing it to be impossible to bring Arbitrary Government to perfection, whilst a People who had always breath'd in a free Air, and call'd their Princes to an account when they invaded their Properties, were in any condition to defend themselves, or assist others against such Princes as design'd an absolute Sway. But the Pill being too bitter to be swallowed by it self, there was a necessity of taking Priestcraft into the Composition, and to gild it over with the specious pretext of bringing the *Scots* to an Uniformity in Religion. The Court knew that this would arm the Zealots against us, and that it could never be affected without the ruin of our Kingdom, whose Religion was so interwoven with our Civil Constitution, that there was no overturning of the one, without subverting the other. This will appear plain to those that know, that besides the Sanction of Acts of Parliament, the Church of *Scotland* is defended by a full Representative of the Clergy and Laity of the Kingdom call'd a General Assembly (which preserves us from being Priest-ridden, as our Parliaments do from being Prince-ridden) where the King by Law had no negative Voice, no more than he formerly had in our Parliaments. This in effect is the Representative of the Nation as Christians, as the Parliaments are our Representatives as Men; and as to the Laity, many of them are the same individual Persons that sit in Parliament. So that those Assemblies being a second Barrier about our Liberties, it was thought fit to run down the Constitution of our Church, as not suited with Monarchy. The Case being thus, we dare refer it to the thoughts of our neighbouring Nation, who have gallantly from time to time stood up for their

heir own Liberties, whether it were not more generous for them to unite with us than to suffer us to be oppress'd and enslav'd.

There's nothing can be objected to this, but that all these glorious Privileges were swallow'd up by those Acts of Parliament that exalted the Prerogative to such a height in the Reign of K. Charles II. To which we answer, That the Privileges of a Nation cannot be giv'n away without their own consent; and we are morally certain, that the Constituents even of those pack'd Parliaments did never give any commission to those that represented them, to give away those Liberties. Slavery is repugnant to human Nature; so that it cannot be supposed the Nation exalted the Prerogative on purpose to put themselves in a worse condition than before, or that when they find it applied to another use than that which they gave it for, they may not reduce it to its antient Boundary. The necessity of Affairs did sometimes oblige the Romans to intrust their Dictators with an extraordinary and absolute Power; but when the occasion ceas'd, they recalled it, and kept to their antient and rational Maxim, that *Salus Populi is suprema Lex*. In the like manner the Enemies of our old Constitution may know, if they please, that we have retrieved the main point of making our Crown forfeitable by the Claim of Right; and therefore if they push us too far, it's a thousand to one but we may renew our Demands to the rest, or oblige them to cast them into the bargain.

But to return from this Digression. Tho' we had no such peculiar Privileges belonging to us; why might not we expect that his Majesty should be as kind to us as to our Brethren in England? He hath once and again declared to them in Parliament, *That he never had, nor never will have an Interest distinct*

stinct from that of his People. Then why should not the Interest of the People of *Scotland* be the same with the Interest of the King of *Scots*? And if the People of *Scotland* met in Parliament, agreed upon it as their Interest to have that Act past for encouraging their Trade, how was it possible that the King of *Scots* could be ill serv'd by the passing that Act in *Scotland*?

Our Enemies, and *H—s* Suborners have put a sort of an Answer to this in his mouth, *viz.* That the said Act was obtain'd *viis & modis*; but the Falshood and Malice of that Insinuation will appear to the World by the previous Act of 1693. for encouraging of foreign Trade, by which it was statuted, " That Merchants more or fewer may contract and enter into such Societies and Companies for carrying on Trade, as to any Subject of Goods or Merchandise, to whatsoever Kingdoms, Countries, or parts of the World, notwithstanding being in War with his Majesty, where Trade is in use to be or may be follow'd; and particularly, besides the Kingdoms and Countries of Europe, to the East and West-Indies, the Straits, and to trade in the Mediterranean, or upon the Coasts of Africa, or elsewhere, as above. Which Societies and Companies being contracted and entered into upon the terms, and in the usual manner as such Companies are set up— His Majesty with Consent aforesaid did allow and approve, giving and granting to them and each of them, all Powers, Rights and Privileges, as to their Persons, Rules and Orders, that by the Laws are given to Companies allowed to be erected for Manufactories: And his Majesty for their greater Incouragement, did promise to give to those Companies, and each of them, his Letters Patent under the Great Seal, confirming

" to

" to them the whole foresaid Powers and Privileges, with what other encouragement his Majesty should judg needful. These are the very terms of the Act of 1693. and in pursuance of this Act our Nation being willing to form a Company for trading to *Africa* and the *Indies*, this Act which hath met with so much opposition in the World, was past June 26. 1695. which was two years after. Then with what Effrontery can *H——s* and his Suborners suggest, that it was obtain'd *viis & modis*, by surprise or in a surreptitious manner ? But something they must say to justify their unreasonable treatment of us, and to blind the Eyes of the World.

Thus we see then that the Parliament of *Scotland* went on deliberately to advance their Trade, and to make this Act : by which it's evident that they who advis'd his Majesty to say that he was *ill serv'd in Scotland*, impos'd upon him, have laid a Foundation of division betwixt him and his Parliament, which are the two constituent parts of our Government ; and if they be dash'd against one another, the whole frame of it must of necessity be dissolv'd. Hence also it is evident that those Counsellors, if *Scots-men*, ought by our old Constitution to be call'd to an account by the Parliament according to the 12th Act of Parl. 2 James 4. And if they be Englishmen or Dutchmen, we have a right to demand Justice against them, as having meddled in our Affairs contrary to the Laws of Nations.

The Soveraignty of our Nation, and the Independency of the K. of *Scots* upon the Crown of *England*, being tacitely giv'n up by this Answer ; and the Parliament of *England* being possess'd by our Enemies with a false Notion of our Design, they put a stop to our taking Subscriptions from any

any Residenters in *England*; tho our offering to take in the *English* as Sharers, was a plain Demonstration of the uprightness of our Intentions towards that Nation. This made it apparent, that we had no design in the least to supplant them in their Trade, but on the contrary to make them Partakers in ours, in order to lay a foundation for a closer Union, and greater Amity betwixt the two Nations; which if it had taken effect, our Trade had not been nipp'd in the bud, as now it is by the frowns of the Court, but might by this time have been improv'd to the advancement of the glory and strength of the Island: Whereas by the opposition made to that noble Design, the Nations are more alienated from one another than before, lessen'd in their Strength and Trade, and *Scotland* for ever lost as to their Friendship, usefulness, and joining, with *England* on any occasion whatever, unless proper Measures be taken to make up the Breach, and retrieve our lost Honour and Advantage.

All that can be said to excuse so false a step in such a wise Nation as *England*, is, that they were impos'd upon by those that are Enemies to the true Liberties of both Nations, and by some of their Traders and ignorant Pretenders, to give advice in matters of Trade, who out of a sordid Principle of Self-interest, preferr'd their own private Gain to the general advantage of their Country. This would have quickly been seen, had his Majesty and the Parliament of *England*, instead of that violent opposition which they made to the *Scots Act*, desir'd a conference betwixt a Committee of the Parliaments of both Nations; then it would soon have appear'd what our true Design was, and that it was neither our Interest nor Intention immediately to follow an *East-India Trade*,

the

the apprehensions of which did so much alarm the Kingdom of *England*. That it was not our Intention is evident from our rejecting the Proposals of our Countryman Mr. *Douglas*, the *East-India* Merchant, with which *H—s* upbraids us, by which at the same time he discovers his own folly and dishonesty; his Folly in arguing against the Interest of *England*, which he pretends to espouse; and his Dishonesty in proposing our following a Trade, which his new Masters (who have paid him so well for his false Evidence) look upon to be destructive to theirs.

That it was not our Interest immediately to think of an *East-India* Trade is evident from this, that it would have exported our Mony with which it's known we do not abound, and ruin'd the Linen Manufacture of our Country, upon which so many of our Poor depend. This we think the City of *London* may be sensible of in a good measure, by the multitudes of their own Silk-Weavers, that are starv'd for want of Imployment; and also by the unsuccessfullness of their own Linen Manufacture in *England*, by reason of the great quantity of Silks, Muslins, Calicoes, &c. brought from the *East-Indies*: from whence some wise Men have been and are still of opinion, that an *East-India* Trade of that fort tends to the general Impoverishment of *Europe*, tho' it may enrich particular Persons. These Considerations, together with some Jealousies that Mr. *Douglas* might have been put upon making us that Proposal, on purpose to divert us from our other Design of an *American* Trade, were the true Reasons of our not hearkening to Mr. *Douglas*'s Advice. This our Neighbours might have known, had they proceeded with us in such a Friendly manner as we had reason to expect, when we were so kind as to offer them a share

in the Benefits of our Act. And the Government at the same time might soon have been satisfied, that the sinking of their Customs by our own and twenty years Freedom from that Duty, was a mere bugbear Pretence. It is evident that we could not have spent much *East-India Goods* in *Scotland*, and therefore must have exported them. If we had brought them to *England*, they were liable to Customs there. If we had offer'd to run them over the Border, they could as well have prevented that, as the stealing over their own Corn and Wool: and if we had exported them to any other places of *Europe*, the *English* by their Draw-backs could have done it in effect as cheap as we. By all which it appears, that there was no solid Foundation for any of those pretended Reasons, why the Government in particular, or the *English* in general, should have oppos'd us: and we wish that upon due inquiry it may not be found to be the effect of Dutch Councils; for that People being jealous of their Trade, and Rivals to *England* on that account, cannot be suppos'd to have sat still and done nothing, when they saw we had obtain'd such an Act, and were resolv'd to take in the *English* to partake in our Trade, which if suffer'd to go on, might endanger theirs, and enable the *English* to outrival them indeed, besides the present loss they foresaw of our Custom, the *Scots* having most of their *East-India Goods* from *Holland*.

This we have the more reason to suspect, first because tho the *English* have formerly suffered in their Trade by the Incroachments and Intrigues of the *Dutch*, but never by the *Scots*; yet they have made no Application to his Majesty, for preventing the like in time to come. If it be said that he is but Stadtholder there, whereas he is

K. of Scots : We can easily reply, that it appears by what has been said already of our true Constitution, that the Kings of *Scotland* were as much accountable to the States of that Nation as the Dutch Stadholder is to the States of *Holland*. The 2d Reason we have to suspect the Influence of Dutch Councils in this Affair, is this, that 'tis their Interest to keep us and the *English* from uniting, and if possible of forcing us by that means into an Alliance with themselves, to prevent their own ruin, if *England* after this should come to fall out with them upon the account of Trade or otherwise, and likewise to have their Privilege of fishing in our Seas continued, which they know to be of such vast Advantage to them, that they are shrewdly suspected of having by Bribes, or other indirect Methods, prevail'd with some great Men, to supplant us as to the Benefits we had just reason to expect from the Act of 1661. encouraging our Fishery ; the Privileges granted by which, are very considerable, and to continue for ever : nay to put it out of all doubt that they are join'd in this matter against us, *H*—s owns it as beforemention'd.

Being upon this Subject, we cannot but take notice of the difference betwixt the *Spanish* Memorials about *Darien*, and of those late Memorials presented by them to our Court against their meddling with the Succession of that Monarchy, or the cantoning it out into several Parcels in case the King of *Spain* die without Issue. The former, tho insolent and huffing enough, were prov'd by our Court, therefore calmly digested ; and the desire of them effectually answer'd, to ruin almost of the *Scotish* Nation : but the latter was no sooner presented, than the *Spanish* Am-

bassadors are disgrac'd in *England* and *Holland*, and forbid both Courts.

It may therefore deserve the Inquiry of our Neighbours, what this Regulation about the Succession of *Spain*, and the dismembering of their Monarchy is, that occasion such outragious Memorials: for there must needs be something in it that touches the *Spaniards* more sensibly than the business of *Darien*, and which they did not complain of till they were put upon it; and in like manner touches our Court more sensibly to the quick than any Memorials about that Affair, tho they had not been of their own procurement, were capable of doing. Perhaps upon a narrow Scrutiny into this Affair it will be found, that this keen and uninterrupted Opposition made to the *Scots* Settlement at *Darien*, does not proceed from any foresight of damage that it could do to the Trade of *England*, tho that be the specious Pretext, but from a Cause which touches some People more nearly, crosses their Project of dismembering the *Spanish* Monarchy, and of having that important Post to their own share; they know that they have a natural, as well as a political Interest in some great Courtiers, and make little doubt of obtaining the preheminence before either of those Nations that compose the Empire of *Great Britain*. It concerns our Neighbours so much the more to inquire into this, because it is visible from the Resentments of it by the *Spaniard* Court, that this matter is more like to affect the advantageous Trade that *England* drives with *Spain*, than our Settlement in *America* was ever likely to do; which tho it be made a Sacrifice to his Catholick Majesty, and perhaps on purpose to make him digest the other Project with more easie

ease, is like to be of as little advantage to *England*, as was the Sacrifice of the great Sir *Walter Raleigh* formerly, tho' it may be infinitely more to their damage. If our Neighbours have a mind to be fully inform'd of this matter, they know who were employ'd in those Negotiations, and how to speak with them.

We come next to consider the Opposition made to our Subscriptions at *Hamburg* by Sir *Paul Ricalt* the English Resident there, in conjunction with his Majesty's Envoy to the Court of *Lünenburg*, who deliver'd in a joint Memorial to the Senate of *Hamburg*, threatening them with the heighth of his Majesty's Displeasure, if they join'd with the *Scots* in any Treaty of Commerce whatsoever. This we shall not need to make any Reflexions upon, the Petitions from the Company to his Majesty and his Privy-Council in *Scotland* being sufficient for that end.

Their first to the King was dated *June* the 28th 1697. and is as follows.

To the King's most Excellent Majesty,

*The Humble Address of the Council
General of the Company of Scot-
land, trading to Africa and the
Indies.*

May it please your Majesty;

" WHEREAS by the 32d Act of the 4th
" Session, and by the 8th A& of the
" 5th Session of Your Majesty's current Parliament,
" as well as by Your Majesty's Patent under the
" Great Seal of this Kingdom, this Company is
" established with such ample Privileges, as were
" thought most proper and encouraging both to
" Natives and Foreigners to join in the carrying
" on, supporting, and advancement of our Trade:
" The most considerable of the Nobility, Gentry,
" Merchants, and whole Body of the Royal Bur-
" rows, have upon the Inducement and publick
" Faith of Your Majesty, and Act of Parliament,
" and Letters Patent, contributed as Adventurers
" in raising a far more considerable joint Stock,
" than any was ever before raised in this King-
" dom for any publick Undertaking, or Project of
" Trade whatsoever; which makes it now of so
" much the more universal a Concern to the Na-
" tion.

" And for the better enabling us to accomplish
" the ends of Your Majesty's said A& of Parliament,
" and Letters Patent, we have pursuant thereun-
" to appointed certain Deputies of our own num-
" ber to transact and negotiate our necessary Af-
" fairs

“ fairs beyond Sea, and at the same time to treat
 “ with such Foreigners of any Nation in amity
 “ with Your Majesty, as might be inclinable to
 “ join with us for the purpose aforesaid. In
 “ the prosecution of which Commission to our said
 “ Deputies, vested with full Power and Authority
 “ according to Law, We are not a little surprized
 “ to find, to the great hindrance and obstruction
 “ of our Affairs, That your Majesty’s Envoy to
 “ the Courts of *Lunenburgh*, and Resident at *Hamburgh*, have under pretence of special Warrant
 “ from Your Majesty, given in a joint subscribed
 “ Memorial to the Senat of *Hamburg*, expressly
 “ invading the Privileges granted to our Company
 “ by Your Majesty’s said Acts of Parliament, and
 “ Letters Patent, as by the herewith transmitten
 “ Copy may appear.

“ By the which Memorial we sustain great and
 “ manifold Prejudices, since both the Senat and
 “ Inhabitants of the said City of *Hamburg* are
 “ thereby, contrary to the Law of Nations,
 “ expressly threatned with Your Majesty’s Displea-
 “ sure, if they or either of them should coun-
 “ tenance or join with us in any Treaty of Trade
 “ or Commerce whatsoever, which deprives us
 “ of the assistance which we had reason to ex-
 “ pect from several Inhabitants of that City.

“ For redress whereof we do in all Duty and
 “ Humility apply to Your Majesty, not only for
 “ the Protection and Maintenance of our Privileges
 “ and freedom of Trade, but also for reparation
 “ of damage conform to Your Majesty’s said
 “ Acts of Parliament, and Letters Patent. And we
 “ further beg leave humbly to represent to Your
 “ Majesty, that tho by the said Acts of Parliament
 “ and Letters Patent, we conceive our selves legally
 “ and sufficiently authorized to treat even with

" any Soveraign Potentate or State in Amity with
 " Your Majesty for the support and advancement
 " of our Trade ; yet we by our said Deputies
 " have only treated with particular and private
 " Merchants of the said City of *Hamburgh*, with-
 " out ever making any the least Proposal to the
 " Senate thereof : and this we humbly conceive to
 " be the natural Right and Privilege of all Mer-
 " chants whatsoever, even tho we had wanted the
 " Sanction of so solemn Laws ; and without some
 " speedy redress be had therein, not only this
 " Company, but all the individual Merchants of
 " this Kingdom, must from henceforward con-
 " clude, that all our Rights and Freedoms of Trade
 " are and may be further by our Neighbours vio-
 " lently wrested out of our hands.

" We therefore, to prevent the further evil Con-
 " sequences of the said Memorial to our Company
 " in particular, do make our most humble and
 " earnest Request to Your Majesty, That you
 " would be graciously pleased to grant us such De-
 " clarations as in your Royal Wisdom you shall
 " think fit, to render the Senate and Inhabitants
 " of the said City of *Hamburgh*, and all others
 " that are or may be concerned, secure from the
 " Threatnings and other Suggestions contain'd in
 " the said Memorial, as well as to render us secure
 " under Your Majesty's Protection, in the full Pro-
 " secution of our Trade, and free Injoyment of
 " our lawful Rights, Privileges, and Immunities
 " contained in your Majesty's Acts of Parliament
 " and Letters Patent above-mentioned.

Signed at Edinburgh the 28th Day of June 1697. in Name,
 Presence, and by Order of the said Council General, by

May it please your Majesty,
 Your Majesty's most Faithful, most Dutiful, most Humble, and
 most Obedient Subject and Servant,

Sic subscrbitur, Teste P.

The King's Answer to the above-written
Address,

*By the Right Honourable the Earl of
Tullibardin, &c. and Sir James
Ogilvie, Principal Secretaries of
State.*

My Lords and Gentlemen;

WE are empowered by the King to signify unto you, that as soon as his Majesty shall return to England, he will take into Consideration what you have represented unto him; and that in the mean time His Majesty will give orders to his Envoy at the Courts of Lunenburgh, and his Resident at Hamburgh, not to make use of his Majesty's Name or Authority for obstructing your Company in the prosecution of your Trade with the Inhabitants of that City.

Signed at Edinburgh the 2d Day of August,
1697.

Sic subscribitur,

Tullibardin.
Ja. Ogilvie.

The Company finding that the said Resident did notwithstanding this Answer continue his Opposition, and deny that he had any orders to the contrary, petitioned his Majesty's Privy Council afresh as follows,

To

To the Right Honourable the Lord
High Chancellour, and remanent
Lords of his Majesty's most Ho-
nourable Privy Council;

*The humble Representation of the
Council General of the Company
of Scotland trading to Africa
and the Indies.*

May it please your Lordships,

" **T**IS not unknown to your Lordships, how
" that in several successive Sessions of this
" current Parliament, his Majesty's Instructions to
" his respective High Commissioners, and their
" several Speeches pursuant thereto, have been full
" of repeated Assurances of his Majesty's good
" Inclinations for encouraging the Trade and Manu-
factories of this Nation: And whereas accord-
" ingly by the 22d Act of the fourth Session, and
" the 8th Act of the fifth Session of the said Par-
liament, together with his Majesty's Patent
" under the Great Seal of this Kingdom, our Com-
pany is established with such ample Privileges
" and Immunities as were thought most proper for
" encouraging both Natives and Foreigners to
" join in the carrying on, supporting, and advance-
" ment of our Trade; we in pursuance, and up-
" on the publick Faith thereof, not only contri-
" buted at home a far more considerable joint
" Stock than ever was yet rais'd in this Nation for
" any publick Undertaking or Project of Trade
" what-

“ whatsoever, but have also had all the promising hopes and prospect of foreign Aid that our hearts could wish, till (to our great surprize) the English Ministers at *Hamburgh* have, under pretence of special Warrant from his Majesty, put a stop thereto, by giving in a Memorial to the Senat of that City, threatening both Senat and Inhabitants with the King’s utmost Displeasure, if they should countenance or join with us in any Treaty of Trade or Commerce, as by the annexed Copy thereof may appear.

“ Upon due consideration whereof, we have in all duty and humility addressed his Majesty in June last for redress thereof; in answer to which Address his Majesty was then graciously pleased to signify by his Royal Letter, That upon his return into *England* he would take into consideration the Contents of our said Address, and that in the mean time he would give Orders to the said Ministers at *Hamburgh* not to make use of his Royal Name or Authority for obstructing the Trade of our Company with the Inhabitants of that City. In the full assurance of which we rested secure, and took our measures accordingly, till to our further surprize and unspeakable prejudice, we find by repeated Advices from *Hamburgh*, that the said Resident continues still contumacious; and is so far from giving due Obedience to his Majesty’s said Order, that upon application made to him by our Agent in that City, with all the respect due to his Character, he declared, that as yet he had got no such Order on our behalf; which by a further Address we are now to lay before his Majesty.

“ But whereas we humbly conceive your Lordships to be more immediatly, under his Majesty, the Guardians of the Laws and Liberties of this

“ King-

" Kingdom, We think it our duty to represent to
 " your Lordships the Consequences of the said
 " Memorial, both with relation to our Company
 " in particular, and the Privileges, Interest, Ho-
 " nour, Dignity, and Reputation of the Nation
 " in general.

" Your Lordships very well know of what con-
 " cern the Success of this Company is to the whole
 " Kingdom, and that scarce any particular So-
 " ciety or Corporation within the same can justly
 " boast of so solemn and unanimous a Suffrage or
 " Sanction, as the Acts of Parliament by which
 " this Company is established. So that if effectual
 " measures be not taken for putting an early stop
 " to such an open and violent Infringement of,
 " and Incroachment upon the Privileges of so so-
 " lemn a Constitution, 'tis hard to guess how far
 " it may in after Ages be made use of as a Prece-
 " dent for invading and overturning even the ve-
 " ry Fundamental Rights, natural Liberties, and
 " indisputable Independency of this Kingdom,
 " which by the now open and frequent Practices
 " of our unkind Neighbours, seem to be too
 " shrewdly pointed at. And should this Compa-
 " ny (wherein the most considerable of the No-
 " bility, Gentry, Merchants, and whole Body
 " of the Royal Burroughs are concerned) be so
 " unhappy (which God forbid) as to have its De-
 " signs rendered unsuccessful through the unac-
 " countable evil Treatments of our said Neigh-
 " bours; most certain it is that no consideration
 " whatever can hereafter induce this Nation
 " to join in any such other publick Stock, tho'
 " never so advantageous an undertaking, as not
 " doubting but to meet with the like or greater
 " Discouragements from those who give such fre-
 " quent and manifest Indications of their Designs to
 " wrest

(29)

" wrest our Right and Freedom of Trade out of
" our hands.

" For which cause we humbly offer the Premises
" to your Lordships serious Consideration, not
" doubting but you will (in your profound Wisdom
" and Prudence) take such effectual measures for
" redress thereof at present, and to prevent the
" like Incroachments for the future, as may be ca-
" pable to remove those Apprehensions and Je-
" lousies, which the bare-faced and avowed Me-
" thods of the *English* do now suggest, not only to
" our Company in particular, but even to the whole
" Body of this Nation in general.

Signed at Edinburgh the 22d
Day of December 1697. in
Name, Presence, and by Or-
der of the said Council Ge-
neral, by,

May it please your Lordships,
Your Lordships most Obedient,
and most Humble Servant,
Sic subscriptitur, Francis Scot P.

And therewith they join'd another to the King,
as follows.

To

To the King's most Excellent Majesty,

*The Humble Address of the Council
General of the Company of Scot-
land trading to Africa, and the
Indies.*

May it please Your Majesty;

" **B**Y a former Address of the 28th of June last,
 " We have humbly represented to Your Ma-
 " jesty, that Your Majesty's Envoy to the Court of
 " Lunenburg, and Resident at Hamburgh, did, under
 " pretence of special Warrant from Your Majesty,
 " give in a Memorial to the Senat of the said City of
 " Hamburgh, contrary to the Law of Nations, and
 " exprefly invading the Privileges contained in the
 " said Acts of Parliament and Letters Patent, by
 " which our said Company is established; Copies
 " of which Address and Memorial, we have for
 " Your Majesty's better Information hereto annex-
 " ed: In answer to which Your Majesty was then
 " graciously pleased to signify by your Royal Letter,
 " that upon Your Majesty's Arfival in England,
 " You would take the Contents of our said Address
 " into consideration; and that in the mean time
 " You would give Orders to Your said Minister
 " not to make use of Your Majesty's Name or Au-
 " thority for obstructing our Company in the prose-
 " cution of our Trade with the Inhabitants of the
 " said City of Hamburgh. In the full assurance of
 " which we rested secure, and took our Measures ac-
 " cordingly, till, to our further surprize and great
 " disappointment, we find by repeated Advi-
 " ces

ces from *Hamburg*, that Your Majesty's said Resident continues still contumacious, and is so far from giving due Obedience to Your Majesty's said Order, that upon Application made to him for that effect, with all respect due to his Character, he pretended, that he had never as yet got any such Order on our behalf: Which we thought fit, in all duty and humility, to lay before Your Majesty, renewing withal our most humble and earnest Request, that Your Majesty would be now graciously pleas'd to take the Contents of this and our said former Addres into consideration, and, in Your Royal Wisdom, order some speedy and effectual Redress of our Grievances therein mentioned, and a just Reparation of the manifest Damages which our Company has already sustain'd by reason of the said Memorial: And grant us a Declaration under Your Royal Hand, to render the Senat and Inhabitants of the City of *Hamburg*, and all others with whom we may have occasion to enter into Commerce, secure from Threatnings and other false Suggestions contained in the said Memorial, as well as to render us secure under Your Majesty's Protection, in the free Enjoyment of our lawful Rights and Privileges contained in Your Majesty's Acts of Parliament and Letters Patent above mentioned.

Signed at Edinburgh the 22d Day of December 1697. in Name,
Presence, and by Order of the said Council General, by

May it please your Majesty,
Your Majesty's most Faithful, most Dutiful,
most Humble, and most Obedient Subject
and Servant,

Sic subscrivitur Francis Scot P.

Notwithstanding all this humble Application, there was no stop put to that Opposition : So that the *Hamburgers* dar'd not venture to subscribe ; and the Company, after great loss of time, and Money, and leaving two Ships unfinish'd, to the great Dishonour, as well as Disadvantage of the Nation, were oblig'd to recal their Agents, after having spent 30000*l.* and not receiv'd one Farthing there, tho the *Hamburgers* were so willing to join, that they were sorry there was not room left for subscribing more than 20000*l.*

The Company finding themselves thus injuriously dealt with, made application to the Parliament of *Scotland* for redress. Upon which the Parliament presented the following Addres to his Majesty.

An ADDRESS to his Ma- jesty, by the Parliament.

“ **W**E Your Majesty's most Loyal and Faithful Subjects, the Noblemen, Barons, and Burgesses convened in Parliament, do humbly represent to Your Majesty, that having consider'd a Representation made to us by the Council General of the Company trading to *Africa* and the *Indies*, making mention of several Obstructions they have met with in the prosecution of their Trade ; particularly by a Memorial presented to the Senat of *Hamburg* by Your Majesty's Residents in that City, tending to lessen the Credit of the Rights and Privileges granted to the said Company by an Act of this present Parliament :

“ We

“ We do therefore, in all humble Duty, lay before Your Majesty, the whole Nations Concern in this Matter : And We most earnestly do entreat, and most assuredly expect, That Your Majesty will in Your Royal Wisdom take such measures as may effectually vindicate the undoubted Rights and Privileges of the said Company, and support the Credit, and Interest thereof.

“ And as we are in Duty bound to return Your Majesty most hearty Thanks for the Gracious Assurances Your Majesty has been pleased to give Us of all due Encouragement for promoting the Trade of this Kingdom ; So We are thereby encouraged at present, humbly to recommend to the more special Marks of Your Royal Favour, the Concerns of the said Company, as that Branch of Our Trade, in which We, and the Nation we represent, have a more peculiar Interest.

“ Subscribed at Edinburgh the 5th of August 1698.
“ in Name, Presence, and by Warrant of the Estates
“ of Parliament:

SEAFIELD J. P. D. P.

By all this it is evident, that the whole Kingdom of *Scotland* was unanimous in this matter, and proceeded deliberately in it, as that which highly concern'd their Interest : yet we see that all their Endeavours were to no purpose ; for our Enemies were so resolute in opposing our Trade, that rather than it should succeed they will not only trample under foot the Laws of *Scotland*, but the Laws of Nations, and exactly follow the Pattern set them by the *French*, in huffing and tyrannizing over their Neighbours, when at the same time they pretend to make War upon *Lewis*

XIV. for practices of the same nature ; and whilst they cry out upon the Decisions of the Chambers of *Brisac* and *Mets*, and of the Parliament of *Paris* as tyrannical and unjust for invading the Rights of Neighbouring Princes and Nations, they set up a Cabal at *Whitehall* to do the like by *Scotland* and *Hamburgh*. Then let the World judg, whether the King of *England* had not less reaſon to say that he was ill serv'd in *Scotland*, than the King of *Scots* had to say that he was ill serv'd in *England*, since one ſingle Address from the Parliament of *England* prevail'd with their King to forbide all his Subjects to join with the *Scots*; whereas the repeated Supplications of the Company of *Scotland*, the Addrefs of their Parliament, and the Authority of Law, and his own Letters Patent could not prevail with the King of *Scots* to do Justice to his own Subjects. We wish these Gentlemen would consider this, who were ſo very angry at the Author of the Defence of the *Scots* Settlement, for ſaying that the King of *Scots* was detain'd prisoner in *England*. It is very certain, that never any King of *Scotland* before the Union of the Crowns, dar'd thus to trample upon their Laws, or to oppose the General Interest of the Nation; or if they attempted to do it, they were quickly made ſensible of their being inferior to the Law, and the States of the Nation assembled in Parliament, who till the Accession of our Princes to the *English* Throne, remain'd in an undisputed possession of calling their Kings to an account for Male-administration, and of disposing of their Lives and Liberties as they ſaw cause. We need not go ſo far back for Evidence to prove this, as *Eugenius the 7th*, who was brought to his Tryal on ſuspition of having murder'd his own Wife, and acquitted upon discovery of the real Murderers; or of *James III.*

III. whose Minions, by whose Council he governed, were taken out of his own Bed-Chamber by the Nobles, and hanged over *Lauder-bridg*; and he himself persisting in those Courses, was killed in flight, after being defeated in Battle by the States, and in the next Parliament was voted to be lawfully slain.

We have a later Instance, and the Power of our Nation on that Head was largely asserted and accounted for by the Earl of *Morton* then Regent of *Scotland*, in that noble Memorial he delivered in to Q. *Elizabeth* and her Council in defence of our proceedings against Q. *Mary* whom we de-thron'd, and in her stead set up her Son: so that it is not the principle or practice of any one Party of our Nation (tho' it has been of late fix'd upon the Presbyterians as peculiar to them) but was an Hereditary Right conveyed to us all by our Ancestors, practised by Papists before the Reformation, and justified by those of the Episcopal Perswasion since, particularly by the Earl of *Morton* beforemention'd, who was the first that introduc'd Bishops into our Church after the Reformation.

Those things are not insisted upon with any Design of applying them to his present Majesty, or of incensing the People of *Scotland* to do so, but only to inform those that put his Majesty upon such Courses, that they are his greatest Enemies, and do what in them lies to destroy him. It is the common Right of Mankind to be protected by those they set over them, and to complain of Goyernors when they find themselves aggrev'd, and their Privileges torn from them by Violence. This Generation has prov'd it beyond possibility of Reply, that the greatest Pretenders to submissi-on to Princes, and the most zealous Patrons of Passive Obedience, will resist and dethrone their

Kings too, when they find themselves oppressed by them. They that maintain the contrary, are nothing but mean-spirited Flatterers, or such as temporize with Courts, because of their own private Advantage ; and be their Quality what it will, are far from being so noble and brave as that poor Woman who told *Philip of Macedon*, that he ceas'd to be King when he refus'd to hear her Petition. Upon the whole it will appear, that the Author of the Defence of the *Scots* Settlement, made the best Apology for his Majesty that could be made, when he said that he was a Prisoner in *England*, and therefore forc'd to act thus against the Interest and Dignity of his Crown as King of *Scots*. It is demonstrated thus : If his Majesty were in *Scotland*, and another Person upon the Throne of *England*, it is certain his Majesty would have encouraged the Trade of *Scotland*, and resented such practices in the King of *England*, as contrary to the Laws of Nations, and the Sovereignty of his Crown : If he did not, he would be look'd upon to be mean-spirited, and not fit to wear it ; and if he took part with the King of *England* against the Dignity of his Crown, and the Interest of his Kingdom, he would not only be looked upon as an Enemy to his Country, but as *felo de se*. From all which it is plain, that as it is the best Apology that can be made for the King of *Scots* when he acts thus, contrary to the Honour and Interest of himself and his Country, to say, he is a Prisoner in *England* ; so it is a sufficient Justification of the People of *Scotland* to refuse Obedience to what he commands by the Influence of the *English*, or other Councils, in opposition to their Interest, because they are the Commands of a Captive, and not of the King of *Scots*. If our Enemis say he is no Captive, but at Liberty

to go to *Scotland* if he pleases, it is so far from making his Case better, that it makes it ten times worse ; for if his Affections be captivated, we are without remedy, except we either sue for a Divorce, as in case of wilful Desertion, and denying conjugal Duty, or withdraw from under his roof, and remove to another Family, as God and Man will allow one Sister to do that is oppressed, and denied the Privileges of paternal Love and Protection, whilst another is caressed and dandled, and has her Fortune raised by diminishing that of the neglected Sister.

The *Jamaica* Proclamation against our Colony at *Darien* comes next to be considered, and is as follows.

*By the Honourable Sir William Beefton Knt.
Governour and Commander in chief for his
Majesty in the Island of Jamaica, and of the
Territories and Dependencies of the same, and
Admiral thereof.*

“ **W**Hereas I have received Orders from his
“ Majesty by the Right Honourable *James*
“ *Vernon*, one of the Principal Secretaries of
“ State, importing that his Majesty was not in-
“ formed of the Intentions and Designs of the
“ *Scots* in peopling *Darien*, which is contrary to
“ the Peace between his Majesty and his Allies,
“ commanding me not to afford them any Assis-
“ tance : In compliance therewith, in his Ma-
“ jesty’s Name, and by his Order, I do strictly
“ charge and require all and every his Majesty’s
“ Subjects, that upon no pretence whatsoever they
“ hold any Correspondence with the *Scots* afore-
“ said,

“ said, or give them any Assistance with Arms,
 “ Ammunition, Provision, or any thing whatsoever,
 “ either by themselves or any other for
 “ them ; nor assist them with any of their Shipping,
 “ or of the *English* Nations, upon pain of his
 “ Majesty’s Displeasure, and suffering the severest
 “ punishment. Given under my Hand and Seal
 “ of Arms, the 9th of April 1699. and in the
 “ 11th year of the Reign of *William the 3d*, King
 “ of *England, Scotland, France and Ireland*, and
 “ Lord of *Jamaica*, Defender of the Faith.

It contains a heavy Charge against the *Scots* Company as having settled in *Darien* without informing his Majesty, and having thereby broke the Peace betwixt his Majesty and his Allies. As to their not informing his Majesty with their Design, there was neither any need of it, nor had they reason to do it : that there was no need of it, is plain enough from the Act of Parliament impowering them to settle any where in *Asia, Africa, or America*, upon places not inhabited, or any other place, with consent of the Natives, and not possess’d by any *European* Potentate, Prince or State : So that they were under no Obligation to acquaint him where they design’d to settle, provided they kept to the Terms of the Act. And that they had no cause so to do, is evident from that unreasonable opposition that a Faction of Court had prevailed with him to make to them all along, which gave them just cause to expect the like treatment in time to come.

Then as to the Breach of the Peace betwixt his Majesty and his Allies by the Settlement, they had no reason to think themselves guilty of any such thing, and so much the less, that *Dampier, Wafer*, and all others that wrote of the Country gave an Account

count of the Natives being in possession of their Liberty, and almost in continual Wars with the Spaniards. Besides, it was a rul'd Case in *England*, since Capt. Sharp was by Law acquitted in King Charles II's time, not only for having marched through *Darien* in a Hostile manner, but for attacquing Places that were really in possession of the Spaniards, as *St. Maria* and *Panama*, because he acted by virtue of a Commission from those *Darien* Princes. This, together with their not finding a *Spaniard* or *Spanish* Garison on all that part of the Isthmus, was enough to justify the fairness of the *Scots* Settlement there, and to have put a stop to this hasty Sentence till both sides had been heard.

But instead of that, the Advisers to this Proclamation take upon them, in a very Magisterial manner, to declare the *Scots* guilty of a Breach of the Peace betwixt his Majesty and his Allies: which is so much the more remarkable, that this Proclamation is publish'd in the *West-Indies*, before ever it was known what the *Scots* could say in their own defence; and sent away before the presenting of the *Spanish* Memorial, which was on the third of *May* 1699. and the Proclamation bears date *April 9th 1699*.

The unfairness of this Proclamation is evident from this, that at the very same time it is publish'd in the *West-Indies*, the Lord President of the Sessions, and his Majesty's Advocate for the Kingdom of *Scotland*, were sent for from hence to see what they could say to justify their Pretensions to *Darien*; which they did by such Arguments as have not yet been answer'd.

We leave it then to the impartial Thoughts of the good People of *England*, whether we have not occasion to say that our King is in the Hand of our Enemies, since we are thus condemn'd with-

out a hearing, and our Nation put to the trouble and expence to send Lawyers out of the Kingdom to defend themselves before those that had already condemned them. And since this is a visible effect of the Union of the Crowns, by which we are every day more and more oppressed ; let them speak their Consciences, if we have not all the reason in the World to dissolve that Union, except the Nations be more closely united, and upon a better footing.

That we were so treated in former Reigns, we had no great cause to wonder, when the Court was engaged in a Conspiracy against our Religion and Liberties. And our Nation being inferior to none in their Zeal for both, it was but natural to think that we should be the first Sacrifice : But to be treated thus by a Prince who hath ventur'd his Life to save us from Popery and Slavery ; a Prince who for Courage in War, and Conduct in Peace, is not to be match'd in Story ; a Prince who is under God the Great Champion of our Religion, and the bold Afferter of *Europe's* Liberty ; a Prince whose Family we revere, and whose Person we adore ; a Prince for whom we have so chearfully ventur'd our Lives, and lost so much of the best Blood in our Veins ; to be so treated by such a Prince hath some thing cutting beyond expression, and proves that our Disasters are no way to be remedied, but either by a total Separation, or a closer Union of the two Kingdoms.

We cannot be so unjust to his Majesty's Character as to think a Prince of his Magnanimity could be guilty of so mean a thing as willingly to subject the Crown of his Antient Kingdom which he received free, to that of another. We cannot once suffer it to enter into our thoughts, that he who dares to out-brave Death in the Field a thou-

sand

sand times a day, should act so unworthy a part as first to condemn, and then to try us. These and all other things of that sort we must needs charge to the account of our Enemies about him, who misrepresent us, and therefore surprise his Majesty into any thing he does against us.

As to that positive Sentence of our having acted contrary to the Peace betwixt his Majesty and his Allies, we have all the Reason in the World to complain of it. Is our Kingdom then become so mean and contemptible, that what is transacted according to the Acts of our Parliaments, and Patents of our Kings, is liable to be annull'd, or declared illegal, by any Person that has the hap to be made an *English* Secretary of State, Governor of one of their *American* Plantations, or a Member of their Council of Trade? If it be so, his Majesty's Dignity, as King of *Scots*, is well defended in the mean time, when it is liable thus to be trampled upon by his own Servants as King of *England*. This does indeed verify what has been said, that our Kings since the Union leave their Ancient Kingdom to the disposal of their Servants: but whether this be agreeable to the Coronation Oaths of our Kings, let them determine that are concern'd to enquire; and perhaps it may be worth the consideration of our Neighbours, whether since we have been govern'd by Servants, they have not for the most part been subject to Ministers, and that the one does naturally pave the way for the other. So that they are no great gainers by the Bargain.

If it be answer'd, that the Proclamations are issued by his Majesty's Authority, and that therefore our Sentence proceeds from his Bar.

We answer, 1. That there are shrewd Suspicions that a certain Gentleman or two who have affected

fect ed all along to shew their Zeal against the *Scots* in this Affair, have push'd this matter beyond their Instructions; for there's no man that knows his Majesty's Justice and Wisdom, can admit a thought that he would condemn us before we were heard.

2. We don't at all question his Majesty's Authority as King of *England*, to forbid his *English* Subjects to give any manner of Assistance to the *Scots* at *Darien* (tho we might say it was unkind) but we absolutely deny that he has any Authority as King of *England* to condemn the Proceedings of the Subjects of *Scotland* for any thing they transact without the Dominions of *England*. If it be otherwise, his Majesty, as King of *Scots*, is bound to appear at the *King's-Bench-bar* in *Westminster-Hall* for what he hath done as King of *Scots*, upon the Lord Chief Justices Summons; and of what Consequence this may be to himself or his Successors, may be easily judg'd. Had *Oliver*, and the other Regicides, bethought themselves of this, it had been more for the Honour of *England*, and would have taken off a great deal of the odium that is charg'd upon them for cutting off King *Charles*, had they search'd for something Criminal in his Conduct toward the *English* Nation as King of *Scots*, and condemned him for that. Tho they did not think upon this, perhaps others may; and then the *English* will be able to justify themselves as not having cut off their own King, but their Enemy the King of *Scots*, as there's no doubt they would have done by King *Charles II.* had he not made his escape after the battel of *Worcester*.

This may perhaps deserve the thoughts of his present Majesty and others concern'd in the Succession, and so much the more that the dependence of the Crown of *Scotland* upon that of *England* hath been lately asserted by some *Eng-*
lish

/b Historians, and indirectly hinted at in a pre-
ended Answer to the *Defence of the Scots Settlement
at Darien*, p. 24.

But to satisfy that Gentleman and others, who
lease themselves so much in vilifying the *Scotish
Nation*, they may turn to the Reigns of *Edward I.
I. & III.* and they will quickly find that Sir *Wil-
iam Wallace, K. Robert Bruce, James Lord Doug-
as, Thomas Randolph Earl of Murray*, and others
hat we could name, did so gallantly defend
he Soveraignty of *Scotland* against those bold Pre-
enders to a Superiority over us, that their Suc-
cessors have had no great stomach to pursue their
claim to it since: So that if ever they had any, it
; forfeited by Prescription.

Oliver's imaginary Conquest so much insisted on
y the dull Answerer of the *Scots Defence*, and o-
thers, will be of no use to the Faction in this matter,
nce that was no National Quarrel, nor did the
English pretend to any such thing as a Conquest of
, but immediatly withdrew their Forces upon the
estoration. So that *Oliver's* Conquest, as he calls
, was only the Victory of one Party over another
n a Civil War, it being well known that he had
friends in *Scotland* as well as *England*, which (if
hat Wise Author will have *Oliver's* Victories to
e Conquests) he had conquer'd too before ever he
ame near *Scotland*.

We don't insist upon this with any design to de-
legate from the Valour of the *English* Nation,
hich is known all over the World, but to stop the
ouths of those pitiful Scribblers, and to give a
aveat to those Gentlemen about Court, who talk
o big of conquering *Scotland* upon this present oc-
asion.

But we wish them to consult beforehand how
England in general stands affected to such a De-
sign,

sign, and how they will justify the Lawfulness of it, lest it fare with them as it did with K. Charles I. and his Cabal, who not only in Council advis'd, TO REDUCE US TO OUR DUTY BY FORCE RATHER THAN GIVE WAY TO OUR DEMANDS, as may be seen in the *Representation of the States of Scotland* in 1640. but rais'd Money, and levied a formidable Army to carry on their Design; and yet the Hearts of these Bravos fail'd them when they came in view of the Scots, who repuls'd them twice with shame, the first time when they encamp'd their great Army near Barwick, and the next when we charg'd them at Newburn. And at last the best of the Nobility and Gentry of England thought fit to put a stop to those dangerous Proceedings, and follow'd his Majesty with a Protestation against them, as well knowing, that if Scotland were once subdued, the Liberties of England could not be long liv'd.

That it is the Interest of England now to prevent the Ruin of Scotland, as much as it was then, will appear by the following Arguments.

1. That the present Juncture of Affairs makes it necessary for the Kingdom of England rather to strengthen themselves by making new Friends than by procuring new Enemies. They are not ignorant that they have a controverted Title to their Crown entail'd upon them, and that the Pretenders against those in possession are in the French Interest, and under their Protection. Nor can they be ignorant, that to the old National Hatred betwixt France and England, the French have added that of the Protestant Religion. Of late years they have declared themselves the most implacable Enemies of it; and their King in all his Triumphs has that ascrib'd to him as his greatest Exploit, that he hath quelled the Monster of Heresy. The case being

being thus, it must needs be against the Interest of England to suffer any froward and headstrong Faction to embroil them with *Scotland*, or to ruin that Kingdom ; the Consequence of which will be the exposing themselves as an easier Prey to the Conquest of the *French* or any other Enemy.

That the *French* had a hand in fomenting our late Civil Wars, and made use of their Firebrands in all Parties, is beyond dispute ; and that it is now more their Interest to divide us than ever, is so palpable that it cannot be denied. Nothing in human probability could have stop'd the impetuous Current of their Arms, but the Interposition of *Great Britain* ; and therefore it concerns them, both in point of Interest and Revenge, to dash us against one another : and if the ill Usage that we meet with from the Court of *England* should force us again into a *French* or other Alliance, the World cannot blame us ; since the Laws of Nature and Nations are for us. Put the case that a smaller number of Christians should be unjustly attack'd by a greater, whom nothing will satisfy but the utter Ruin of the former : Could any man in conscience blame the weaker Party to call in the Assistance of Jews and Pagans to preserve their own Lives ? Is it not the same case with the *Scots* ? have they not ever since the Union of the Crowns been oppressed and tyranniz'd over by a Faction in *England*, who will neither admit of an Union of the Nations, nor leave the *Scots* in possession of their own Privileges, as Men and Christians ? Was it not a Party in *England* that impos'd upon us first in Matters of Religion ? Did we send first to oblige them to submit to the *Geneva Disciplin*, as they call it ; or was it they that first imposed their Ceremonies and Forms of Prayer upon us ? Was it we who first invaded them with an Army to subvert their Civil and Reli-

Religious Liberties, or did not they first invade us? Was it we who first made Acts against their Trade, or they who made Acts destructive of ours? Did we issue Proclamations against their Colonies, or have they done so by ours? In the name of God then let them declare what they would have us to do. They will not unite with us, nor suffer us to live by our selves: Nor must we have any share of their Trade, or carry on a Trade by our selves. Is it not plain then that the Faction oppress us? and yet we must not complain of this sort of Treatment.

2. If the State of Affairs in *Ireland* be consider'd, it will appear to be such, as may make it dangerous to suffer the *Scots* to be oppressed and provok'd in this manner. It is well enough known that the People of *Ireland* are not very well pleas'd with their Treatment by some in *England*. This, together with the great numbers of *Scots* in the North of that Kingdom, who bear a natural Affection to their Country, and would be very uneasy to see its Ruin, may prove of dangerous consequence, in case of a Rupture with *Scotland*.

3. It will further appear to be the Interest of *England* not to suffer the *Scots* to be so much rundown, if they consider the posture of their own Affairs at home. The Divisions and Animosities betwixt the several Parties in *England* are well enough known: So that besides the Sport it would afford to the common Enemy of our Religion and Country, to see those two Nations engaged in 'Var, the Enemies of the present Government would be sure to improve it, and watch for an opportunity to avenge themselves for what has been done against the late K. *James*, and his Friends. It is well enough known what hopes they and some People beyond Sea conceive from the

Diffe-

Differences that this Treatment of the *Scots* may probably occasion ; and as they have an irreconcileable Hatred against our Nation, because we declar'd so generally against the late King, and are zealous for his present Majesty, there's no doubt ut they will foment our Divisions as much as they can, and insinuate themselves with both Parties, in order to set them together by the Ears. They now that so many as fall in *England* of those who dhere to the present Constitution, and so many fall in *Scotland* for supporting the Trade and Freedom of their Country, so many Enemies they are d of ; therefore there's no question but they proisse themselves a plentiful fishing in such troubled Vaters.

It likewise deserves the consideration of our neighbours, that they don't stand at present in very good terms as to matter of Trade with *France*, *Holland* and *Flanders* ; nor is it well known what the Issue of the present Controversy with *Spain* about regulating their Succession may be. The imending differences betwixt the Northern Crowns may perhaps in a little time imbroil them with one other of them, and affect their Trade also on at side. All which being consider'd, it would seem to be the Interest of *England* to assure themselves of the Friendship of the *Scots*, by treating em in a kind and neighbourly manner.

4. It will appear in particular not to be the terest of the Dissenters and sober Churchmen, at the *Scots* should be thus run down, because their own Ruin will be the unavoidable Consequence of it. This they may soon be convinc'd of if they will give themselves leave to consider how they were treated in K. *Charles* the First's time, when the Court did swell with so much Rage against the Kingdom of *Scotland* for asserting their Liber-

tie To

ties then, as they do now. All those Church of England-men that could not conform to the Innovations brought into the Church by Laud and his Party, were treated as Puritans and Schismaticks ; and those that appear'd for the Liberties of the Nation against the Ship-money and other Arbitrary Impositions of the Court, were treated as Rebels and Traitors. If they look into the two last Reigns, it will appear as plain as the Sun, that when Scotland was oppres'd, and their Liberties wrested from them, the Dissenters and moderate Church-men in England were brought under the lash : the former were depriv'd of their Religion and Liberties, and the latter expos'd to destruction by Sham-plots, &c. because of their appearing for the Laws of their Country. We need mention no more Instances to put this out of Controversy than those deplorable ones of the Earl of Essex and Lord Russel ; to which we may add the shameful and barbarous Treatment of the worthy Mr. Johnson Chaplain to the latter, because he so excellently defended with his Pen the Birth-right and Freedom of all true Englishmen.

From all this it will appear that *England* in general must suffer by the Ruin of *Scotland*, and that those who have all along stood up for the *English Liberties*, must lay their Account to come under the lash, if once our Necks come under the Yoke; therefore we dare appeal to the sober Men of the Church of *England*, Whether it be their Interest, that a Nation which agrees with them in all the Articles of their Church, those about Discipline excepted, should be destin'd to ruin, because we believe with most of the Reformed Churches, that there is no Office superiour to that of a Presbyter of divine Institution. Must we be denied the Privileges of Men and Christians, because we think they

that the Discipline of the Church may be more safely intrusted, and more faithfully administred by the joint Indeavors of the Minister and the Heads of his Congregation, by an Association of neighbouring Ministers, and the Heads of their Parishes, and by Delegates both of the Clergy and Laity of those Associations in a general Convocation, than by another Model? But enough of this Subject. Let any Man peruse the learned Arch-bishop *Usher's* Treatise of *Presbytery and Episcopacy* reconcil'd, and there they will find that the difference is not so great as some People have made it their busines to make the World believe. But if nothing less than our destruction will serve those Gentlemen, because our Church is of a different Constitution from that of *England*, and that our political Principles and original Constitution are diametrically opposite to arbitrary Power, let the Dissenters of *England*, and all those Churchmen that concurr'd in the late Revolution, look to it. When their Neighbour's House is on fire it's time for them to prepare their Bucket's. If this Digression be thought impertinent, *H*—s and the Answerer of the *Scots Defence* must bear the blame of it. They would insinuate to the World that the Affair of our Trade and Colony is a Presbyterian Project, on purpose to render it odious and suspected to the Church of *England*; therefore it was necessary to obviate that false and malicious Suggestion, and to acquaint our Neighbours that the Company make no difference as to the matter of Perswasion: and let it be put to the Test when they please, it will be found that those of the Episcopal Opinion are as zealous for the thriving of our Trade, and the Honour of our Nation (both of which are concern'd in this Affair) as any of the other.

To wind up this matter, if any Party in *England* entertain suspicions of us, the better way to prevent us is to treat us kindly, and enter into an Union with us on such Terms as his Majesty and the Parliament of both Kingdoms shall agree, and so as the Civil and Religious Liberties of both People may be preserved. That will be easier and safer than to relieve on the Hopes of an uncertain Conquest ; or if they don't think fit to do so, it's but reasonable they should leave us in the undisturb'd possession of our own Liberties : But if they will do neither, let them no more accuse those that complain of this Treatment as Incendiaries, but seriously examine whether they themselves mayn't with more Justice be accounted Oppressors.

PART

P A R T II.

*Being a more particular Answer to
H—s's Libel.*

WE come in the next place to take a Survey of H—s Libel, intituled, *The Defence of the Scots abdicating Darien*; and shall speedily shew to how little purpose his Suborners have spent their Pains and Mony on him.

The first Line of his Performance is a Banter upon his Majesty, whom he charges with *investing our Company with immense Privileges and Immunities by his Octroy of 1695*. There's no Man can be answerable for more sense than God has given him; but tho H—s understood no better, his Masters at *White-ball*, of whom he brags so much, ought to have taken care that he should not run into Nonsense, and an *Invective* against his Majesty at first dash: To talk of granting us *immense Privileges*, is to impeach his Majesty's Wisdom, as if he had done a thing without parallel, which is directly to incense the Kingdom of *England* against him, as some bad People indeavour'd to do, when by a Misrepresentation of our Design, they stir'd up the House of Commons against it. But had the Surgeon or his Suborners look'd into the Privileges of 21 Years freedom from all manner of Taxes granted to the Dutch *East-India Company* by the States of *Holland*, and the vast Immunities granted by the French King, the *Danes* and *Brandenburgers* to their Companies for trading to the *East-Indies*, or even

to those granted to the English East-India Company at first, they would have found there was no reason to charge his Majesty with granting us such immense or unparalleled Privileges, or ascribing it to his not well knowing what he did for the noise of the Guns at *Namur*, as this petulant Scribler does. *Dedication*, pag. 9.

But if *H—s* and his Suborners exclaim against our Privileges as immense, they are resolv'd to diminish the Authority by which they were granted, and call it only by the name of an *Odroy*, which signifies no more than a Patent; whereas our Privileges were granted us by an Act of Parliament, which are greater and more sacred than all the *Odroys* in Europe: Thus thro Ignorance or Malice they think fit to vilify his Majesty's Conduct and Authority, which they pretend to defend.

Their Malice is further demonstrated by the Parenthesis (*to be presum'd*) in the 2d page of the *Dedication*, where they speak of his Majesty's *Promise to interpose his Royal Authority to do us right in case of disturbance, and that at the publick Charge* (*to be presum'd*) of his antient Kingdom. There might possibly have been some need of their *presumption*, had all Mankind been indow'd with as little Sense and Honesty as *H—s* and his Suborners; for no other Body could ever presume it to mean any thing else, since our Acts do not oblige *England*: tho if they had presum'd that our Enemies would take care that the said Promise should not be kept, the refusal of lending our Company the 3 Men of War built at the Charge of our own Nation, would soon have convinc'd the World that they had presum'd too true.

We have accounted for rejecting Mr. Douglas's Proposal elsewhere; nor shall we take notice of *H—s*'s scurrilous Reflections on Mr. Paterson, which

which only discover his own Temper, but do that honest Man no hurt. As to his charging us with squandering away 50000 l. on 6 Hulks at Amsterdam and Hamburgh, purely to make a noise of our Proceedings, &c. we would desire him and his Suborners to reconcile it with what they say from p. 14, to 20. where they own themselves that the Dutch and Hamburgers were both mightily pleas'd with the Design, p. 14. That the Dutch were tickled with the Conceit that they should be Sharers in the Scots Trade ; and p. 16. they say, That that which gave the dead stroke to the Scots Design, was the East and West-India Companies running open mouth'd to the Lords of Amsterdam, shewing what was hatching by the Scots Commissioners in their City to ruine the Trade of the United Provinces. P. 17. they tell us, That the Hamburgers thought it the more their Interest to embrace the Project, the more that the Dutch oppos'd it : P. 18. That our Affair was generally favour'd by the Burgers of Hamburg ; and p. 21. That the Government of England sent the Senate of Hamburgh a Caution by Sir Paul Ricaut to take care how they suffer'd their Burghers to embark with us. So that here we condemn them from their own mouths : It being plain from those Concessions, that we did not idly squander away our Money at Hamburgh and Amsterdam ; but that both those trading Cities approv'd our Design, and would have engag'd in it, had not the Court of England and the Dutch oppos'd it ; and therefore what loss of Mony we sustain'd in those places, must be charg'd to their Account ; so that H—s hath verified the Proverb, That Liars have need of good Memories.

This is not the only Instance wherein those of H—s and his Suborners have giv'n them the slip ; for in the 4th page of the Dedication, they

upbraid the Company with their blind Project, at which the trading part of the World stand amaz'd; yet p. 17. they tell us that the Project was reasonable both on the *Scots* and *Hamburgers* side; and the Reasons they give are these, *That the River on which that City stands is navigable for 200 Miles up into Germany for flat-bottom'd Vessels of 70 or 80 Tuns*, which gives them an opportunity of serving all the North Parts of the Empire, &c. All that they can say to salve this Contradiction is, *That the Hamburgers knew nothing of Darien, but builded altogether on Ships laden with India Goods*; but that's a notorious Falshood, for the *Hamburgers* were actually told that our Design was on the Isthmus of *America*, and therefore could not be disappointed in their Expectations of an *East-India* Trade if they had a mind to have follow'd it, since they could not be ignorant that they had thereby an opportunity of shortning the Voyage from *Darien* to the *East-Indies*. But at the same time it is much to be question'd whether the *Hamburgers* were so intent upon an *East-India* Trade, as *H*—'s alledges, since it must visibly prejudice their own Manufacture of Linen.

We shall conclude this of *Hamburg* and *Amsterdam* with one Observation, viz. that he tells us, p. 14. That one of the Reasons why the *Dutch* were so much taken with our *East-Indian* Trade, was our Exemption from Duties for 21 years; which serves only to discover his own Folly and Malice, since every Body must necessarily know, that exemption from Duties was only in the *Scotish* Ports; so that if they were exported from thence into any other Country, they must pay the same Duties in those Countries, as if they had been directly imported from the *East-Indies*.

The Inconsistency of *H*—'s and his Subordiners

ners is further demonstrated, p. 4. by supposing our buying a couple of second-hand Ships in the Thames, and dispatching them to India with a suitable Cargo. As to the buying of second-hand Ships, the Company made that Experiment, but found themselves losers by it, and that it cost them more to fit up a second-hand Vessel for their purpose, than it would have done to have bought a new one. But with what Front can they upbraid us with not buying of Ships in the *Thames* for carrying on an *East-India Trade*, when they own, p. 7. that the *House of Commons baulk'd us of our Subscriptions, and reprimanded the Subjects of England for their foolery?* How is it possible then that they would have suffer'd our buying Ships in the *Thames* for carrying on an *East-India Trade*?

We have another proof of his Ingenuity and Truth in that same Page, where he tells us, that if our blind Project (meaning that of Darien) should mis-carry by our own ill Management, it is not fair we should snarl at our Neighbours, who have no other Hand in our Misfortune, than that they would not be necessary to any *Act* which the *World might judg Felonious*, and wherein they could not join without engaging themselves in an unreasonable *War*, and in the end to assist us with Weapons to break our own Heads. We wish his Masters much joy of their *Advocat* and *Evidence*, for we believe they could not have found such another if they had searched through all the Island: He just now own'd that our Neighbours opposed our Subscriptions at home and abroad, before they knew any thing of what he calls our blind Project, and made us squander away 50000*l.* to little purpose, which certainly must be a *misfortune*, and that wherein our Neighbours had no small hand, tho' the *World could not judg our taking Subscriptions in that Honourable*

manner to be any way Felonious. We have moreover sufficiently proved it elsewhere, that they have had a hand in our Misfortune by down-right opposition, and unaccountable Proclamations for which they had no Authority ; we hope that this will be allow'd to be something more than refusing to be accessory to an Act that neither he nor his Suborners will ever be able to prove Félonious, and which we have already told him, the Laws of *England* have in a parallel, nay much worse case, judg'd to be honest and righteous.

So that all this Author hath got by his charging us maliciously with Felony, is to prove himself a wilful Felon, for he tells us at the end of his Book of a long dispute betwixt himself and Sir *J. Stewart* his Majesty's Advocat for the Kingdom of *Scotland*, about the Title of the *Spaniards* to *Darien*; and if we may believe *H-s*, he baffled the Advocat, and prov'd the Right of the *Spaniards* : which proves himself to have engaged in a Design that he thought Felonious, for we do not find, by his own Relation, that he left the place from remorse of Conscience, but only on the Account of a *Malladie Imaginaire*, and want of Provisions ; so that we thank him for telling the World, from his own Mouth, that his Evidence against us is that of a Felon.

As to their engaging themselves in an unreasonable War, and assisting us with Weapons to break their own Heads ; we did not desire they should engage in a War for us, but think it very unreasonable the *English* Court should have engaged so far as they have done against us : It had been sufficient for them to have denied us their Assistance, without having condemn'd us as guilty of breach of Alliance, which, as all the other parts of the opposition made to us, we are satisfied is not

ot the Act of the *English* Nation, and therefore
an create no misunderstanding betwixt them and
us, but perhaps may prove a Weapon in time to
break the Heads of *H-s* and his Suborners.

In the 5th Page, that his Book may be all of
piece, he advances a forg'd Obligation upon us,
rom the Union of the Crowns, which is, that we
re thereby deliver'd from the daily Feuds and bloody
ittle Wars that rag'd amongst us for 1900 years, which
unnatural Massacres our native Princes were unable to
uppress, &c. This is down-right falsehood in mat-
ter of Fact ; for those Feuds, as he calls them, ceas'd
n the Lowlands long before the Union, but conti-
ue still in the Highlands, which we can scarcely think
is unknown to our Author who was born so near
hat Country as Dumbarton. The Macdonalds have
een several times in Arms against the Earl of
Argile since the Restoration, and there's a Feud now
depending between the *Frazers* and the *Murrays*,
or rather the Family of *Athol*. Nor did we ever
hear of any thing that look'd so like an unnatural
Massacre in *Scotland* as that committed since the
Revolution upon the Inhabitants of *Glenco*, which
had it not been for the Union of the Crowns,
would not have been suffer'd to go unpunished.
But admitting it to be true, that the Union had
deliver'd us from those little Feuds, we are no
gainers by the Bargain, since it hath occasion'd
greater ; particularly that unnatural Feud which
rag'd so long betwixt the Episcopal Party and Pres-
byterians, and had its rise altogether from the
Union of the Crowns ; the very prospect of which,
was the sole cause why the Earl of *Morton* (when
Regent) set up the first Protestant Bishops in *Scot-
and*.

Into what Convulsions that Imposition threw the
Nation is well enough known ; and how besides the
bring-

bringing down K. Charles I. with 30000 Men against our Kingdom, and contributing to engage the Nations in a Civil War, it occasioned King Charles II. to plunder the West of Scotland, first by Sir James Turner, which gave rise to the Insurrection at Pentland ; and twice afterwards by the Highland Host, which occasion'd that of Bothwel-Bridg : And afterwards the Oppression run so high, that it forc'd some of the Presbyterians into unaccountable Actions, which gave occasion to oppress the whole Party ; so that it was made punishable by Death for any of their Ministers to preach, or for the People to hear them. From this indeed, we were totally delivered by the Revolution, tho' our freedom in that respect was partly begun by the late King James's Declaration. But our Enemies, unwilling that our Nation should be long at ease, have found other Methods to set our Court against us : And because they know that his present Majesty has too great a Soul to persecute any man on the account of Conscience ; our Enemies have chang'd their Battery, and instead of pointing their Cannon at our Religion, they level them against our Civil Liberties. The Powder they prime their Artillery with, is, That we are Enemies to Prerogative : But because this would not go down with the good People of England, who are strenuous Assertors of Liberty and Property, they must gild it over with the specious Pretence, that we have a design to undermine their Trade, and have unjustly invaded the Spanish Dominions. This is the Design of H-s and his Suborners ; and therefore they insist so much on our Clandestine Declarations, as they call them, that we publish'd in the English Plantations, on purpose to drain them of their People ; but unhappily overthrow what they advance at the same time, when they tell us, That
the

the Jamaica Sloops were Witnesses that we had neither Provisions, nor Money for the sustenance of our own People, pag. 148. And therefore it cannot reasonably be suppos'd that we had any such design as he maliciously charges us with, to draw over the People from the English Plantations, since we had not wherewith to support our own ; but more of this anon. Our Author learn'd the Maxim of *Calumniare audacter & aliquid hæredit*, when he was a Papist : And if he and his Suborners can be any way instrumental to set the Nations together by the Ears by this Method ; or if that fail, if they can but raise Animositys between them, they know it will be a good pretence for some People to put his Majesty upon pressing for a Standing Army, and perhaps for having it enlarg'd, it being necessary, say they, to overaw the Scots, but in reality to protect such evil Counsellors from being brought to Justice, that have advis'd to such Measures as visibly tend to the disadvantage of both Nations.

It may perhaps be worth the Enquiry of our Neighbours whether this be not the real meaning of this intolerable Oppression exercis'd upon our Nation as to their Trade both at home and abroad, viz, that knowing our *præfervidum Ingenium*, as they are pleas'd to call it, to be impatient under Tyranny, the Faction think thereby to provoke us to a resentment that may give occasion for raising an Army against us ; which if it have the good hap to subdue us, or force us to digest our Oppression without any more to do, shall be made use of afterwards to chastise themselves, and bring them to better Manners, then to limit their Monarchs in their Grants, and leave them no other Troops but their Garisons and Guards. It was the Observation of the Earl of Shaftsbury, whom his Enemies will own to have been a great Statesman, that

Scotland

Scotland is a Door to let in Good or Evil upon *England*; which is verified in the latter at least by the whole Course of our History since the Union: for when K. James I. succeeded in trampling upon us, he quickly began to huff his Parliaments in *England*; and notwithstanding all the Remonstrances of Church and State, would needs have a Popish Match for his Son, tho he should sacrifice the Great Sir Walter Rawleigh, his own Daughter the Queen of Bohemia, and her Children, together with the Protestant Interest in *Germany*, to make way for it. When Charles I. obtain'd footing for his Impositions on the Church and State of *Scotland*, it's well enough known what Methods he took with *England*, and how he sacrific'd the Protestant Interest in *France*, whilst he eagerly pursued an Arbitrary Sway at home. When Charles II. got his Prerogative exalted, and an Army at his Call allow'd him in *Scotland*, it's too late to be forgotten how he trod under foot the Liberties of *England*, feiz'd the Charters of their Cities, cut off whom he would by Sham-Plots, and pav'd the way for Popery and Arbitrary Power. When K. James II. did by his absolute Power and unaccountable Authority cass and annul all the Laws establishing the Reformation in *Scotland*; it was not long e're he suspended the Laws, imprison'd the Bishops, and fill'd with Papists his Council, Army, and Universities in *England*. From all which it is evident that our Neighbours have reason to look to themselves when we are oppress'd; for in all probability their Acts of Parliament will not be long regarded, when ours are annull'd and made void by the Intrigues of the Courtiers, and *West-India* Proclamations. The very Advocats of Tyranny make use of this as their *Herculean Argument*, That the People having once resign'd their Privileges to the Crown, have

have no more right to demand them ; which tho we will not allow to be any ways concluding, yet we may very well make use of it *ad hominem*, that *a pari ratione*, when once a Prince has touch'd with his Scepter a Law for the benefit of his Subjects, it is not in his power to revoke or counteract it ; or if he do, by the same Power that he absolves himself from his Obligation to protect and defend his Subjects, he absolves them from all obligation to pay him any Revenue or Allegiance. This is the Birth-right of all *Scots-men* ; and if our Neighbours in *England* have a mind to sit still, and see us bereft of it, all the benefit they can expect from it, is to have the Privilege of being devour'd last.

The rest of his Banter upon his native Country serves only to lessen his own credit, and to make even those that set him at work, curse him in thought, not only as a Monster in nature, but as dishonest to them, by depriving them thus of the benefit of his Evidence, for which they have paid him so well ; since no body in the world can think a man will have any regard to Truth, that in such an impudent manner breaks thro all the Ties of Nature ; and as a just Judgment for so enormous a Crime, is so far depriv'd of his reasoning Faculty, that he is not sensible of his cutting his own Throat, by contradicting himself almost in every Paragraph. He upbraids us in one Page with not having dar'd to descend into the Plains, and that those gallant Men our Ancestors durst not assemble for Worship before the Union, except in a House whose Wall was twelve or 14 foot thick, or to whisper their Prayers or Carrols thro the Cliffs of the Mountains : In the next Page he tells us he has no Inclination to offer any thing in opposition to the Gallantry of our Ancestors ; and in some Pages following he impertinently ridicules the Valour of our Country in the Story

Story of *Baliol*, which he perverts in such a manner, as no man but himself is capable of.

We don't think it worth while to answer him according to his Folly, but shall once for all let him know, that the most invective of the *English* Historians, that wrote in the heat of the War, do us more Justice than this unnatural Renegado. There's no Nation in *Europe*, where we have not given proofs of our Valour, nor is there a Court in *Christendom* where *Scots-men* are not valued on that account. *Sam. Daniel*, one of the best of the *English* Historians, owns that never any People of the World did more gallantly defend their Liberties than we did in that very instance of *Baliol*, when we were without a Head; and from thence infers, what was it we could not have done, had we been then under the conduct of such a Leader as K. *Robert Bruce*. *Speed*, one of the gravest of the *English* Historians, does generously own, that few great Actions have been perform'd in *Europe*, where the *Scots* have not been with the first and last in the Field.

We could easily give a proper Reply to the impertinent Romance which he brings about *Baliol*, that would tend as much or more to the dishonour of *Edward I. II. and III.* than any thing that he and his Suborners have suggested can tend to the dishonour of our Nation; but we forbear it, having no design to reflect upon our Neighbours, notwithstanding the rude Treatment and Provocation that we have had from *H—s*, and others on this occasion. We can, without thinking our selves injur'd, own that the *English* are as brave Men as any in the World, and are satisfied, that such of our Neighbours as are Men of Honour and Reading, will allow us the same Character. We perceive it is the design of this Libeller and others to represent the *English* Nation as Enemies to us in this matter, on purpose

purpose to set us together by the Ears ; but we are satisfied of the contrary, as well knowing that not a few of our good Neighbours are much surpriz'd and displeas'd with our Treatment, and look upon the same to be the effect of such Councils as are destructive to the Interest of both Nations.

We shall conclude this point with one Observation more upon H — s's Ignorance and Malice, in denying that the Scots expell'd Baliol from the Crown, when such a noble Monument of the truth of it, as the original Letter of the States of Scotland, is still to be seen in the University of Oxford, and exemplify'd by Dr. Burnet now Bishop of Sarum, in his History of the Reformation ; and since it is also plain that our Ancestors chose Robert Bruce King during Baliol's Life-time, and that Baliol at last resign'd all his Pretensions, confess'd his Fault in subjecting the Crown of Scotland to that of England, own'd that he was deservedly thrust from the Throne for it, congratulated his Kinsman Robert Bruce's Advancement, and that he had restor'd the Crown of Scotland to its antient Honour.

We take no notice of his profane and atheistical Banter upon the Religion of our Country, as being satisfied that that will do his Cause no good amongst thinking men, tho' it may please those that he is only fit to converse with. As for his malicious charge on Presbyterians, that they maintain it as their Principle, *That Dominion is founded on Grace* ; it's of a piece with the rest of his Evidence. He and his Suborners will be very hard put to it to quote one of their Authors to prove the Assertion, and therefore they may well reject it as a flander : but we must tell him that if this be the Principle of the Presbyterians, they have not well answer'd it by their practice ; for whenever they had any such thing as *Dominion* at their disposal,

fal, they seldom had the good hap to confer it upon those that had *Grace* enough to answer the ends of it. We forbear Instances, because it's too well known both in *France* and *Great Britain*.

We come next to examine his Charge upon our Colony on purpose to render them odious to the *English Nation*, and all the World, and shall transcribe it *verbatim*, that the reason of our Observations upon it may be the more obvious: His words are these.

' If your Colony has left *Darien* for Reasons not as yet public to the World, 'tis your fault, Right Worshipful Gentlemen, in undertaking to manage a Project you so little understood, and not of the *English Nation*, whose Interest it is to advance and preserve their own Colonies, and to keep them from being render'd desolate by the clandestine Artifices of yours, who industriously and tacitely spread their Declarations over all the *English Islands* and Plantations, making use of the King of *Great Britain*'s Name, to give more authority to the thing: And by those indirect *Manifestos*, such Profits, or rather Plunders were insinuated, that if the Government of *England* had not taken early measures to prevent the ill Consequences, it's to be question'd whether the greatest part of the *English West Indies* had not e're now quitted their Settlements, and been decoyed into your Colony, under a cover'd Notion, that you had a Patent from the King to pick a quarrel with the *Spaniard*, and to divide the Spoil of *Mexico* and *Peru* amongst the Servants and Adventurers of the Company.
 This indeed is something to the purpose, and might deserve the Suborners Money, were there no possibility of proving it false; but we shall see another ground there is for this bold Accusation, after observing,

That

That perhaps some Gentlemen at the West end of the Town may find at long-run that their Evidence has blab'd out something more in this Paragraph than it's for their Interest the World should know. We will only ask Mr. H—'s some civil Questions: What are those Reasons not as yet publick to the World, for which our Colony left *Darien*? Sir William Beefton's Letter acquainted us that it was for want of Provisions, and for fear of the great Preparations by the *Spaniards*: The Letters we have had since from *New-Tork* say, that it was for want of Provisions, and because they were brought to their wits end, and did not know what to think of their Case by reason of the *English* Proclamations. Then since the very first of these, and much more all of them together, were reason sufficient, and are publick to the World, What other private reasons can Mr. H—'s give us for it? We know he boasts of his Interest in those that are concerned in the Secrets of the West End of the Town: Did they tell him then that the Government of *England* took *early Measures* to prevent the ill Consequences of our Colony? If they did so, pray what were those Measures? Was the sending of Capt. *Long* thither to debauch our Men, traduce us to the *Indians* as *Pirats*, and to tell them his Majesty of *Great Britain* would not protect us, one of those early Measures? Was not their solliciting a foreign Minister to present a Memorial against our Colony as soon as ever the News of it arriv'd, another? And was not this the reason why they put it upon that Minister, and not upon the *Spanish Ambassador*, that the latter had been forbid coming to Court, because his Catholick Majesty would not admit of *Schonenburg* the the *Jew* as Envoy from the *Dutch*? Were not the Enemies of the *Scots Company* so zealous in pro-
moting

moting that Memorial, that they could not have patience till orders came from *Madrid*, but put the Envoy upon it of themselves? And when a Controversy happen'd about receiving it signed or un-sign'd because of the difference betwixt the two Courts, did not our Enemies agree to it as an Expedient, that one of both sorts should be presented? Was not this abominable trifling upon a point of Honour, when they were plotting to bereave the Kingdom of *Scotland* of their Honour, Men, Money, and Colony all at once? Were not these more clandestine and indirect Artifices to destroy our Colony, than any he charges upon us to destroy the English Colonies?

Having ask'd Mr. H—'s more Questions than he and his Suborners dare positively answer, we come next to deny his Charge upon our Colony, as being malicious and absolutely false; for which their own Declaration shall be our Evidence, and is as follows.

C A L E D O N I A :

The Declaration of the Council constituted by the Indian and African Company of Scotland, for the government and direction of their Colonies and Settlements in the Indies.

THE said Company pursuant to the Powers and Immunities granted unto them by His Majesty of Great Britain, our Sovereign Lord, with Advice and Consent of His Parliament of Scotland, having granted and conceded unto us and our Successors in the Government for all times hereafter, full Power to equip, set out, freight, and navigate our own or hired Ships, in warlike or other manner, from any Ports or Places in amity, or not in hostility with His Majesty; to any Lands, Islands, Countries, or Places in Asia, Africa, or America; and there to plant Colonies, build Cities, Towns or Forts, in or upon the places not inhabited, or in or upon any other place, by consent of the Natives or Inhabitants thereof, and not possest by any European Sovereign, Potentate, Prince, or State; and to provide and furnish the aforesaid Places, Cities, Towns, or Forts, with Magazines, Ordnance, Arms, Weapons, Ammunition and Stores of War; and by force of Arms to defend the same Trade, Navigation, Colonies, Cities, Towns, Forts, Plantations, and other Effects whatsoever; and likewise to make Reprizals, and to seek and take reparation of damage done by Sea or by Land; and to make and conclude Treaties of Peace and Commerce with Sovereign Princes, Estates, Rulers, Governours or Proprietors of the aforesaid Lands, Islands, Countries, or places in Asia, Africa or America.

And reserving to themselves five per Cent. or one twentieth part of the Lands, Mines, Minerals, Stones of value, precious Woods, and Fisings, have further conceded
F 2 and

and granted unto us, the free and absolute Right and Property in and to all such Lands, Islands, Colonies, Towns, Forts and Plantations, as we shall come to, establish, or possess in manner aforesaid; as also to all manner of Treasures, Wealth, Riches, Profits, Mines, Minerals and Fishings, with the whole Product and Benefit thereof, as well under as above the Ground, as well in Rivers and Seas as in the Lands thereto belonging; or for or by reason of the same in any sort, together with the right of Government and Admiralty thereof; as likewise that all manner of Persons who shall settle to inhabit, or be born in any such Plantations, Colonies, Cities, Towns, Factories, or Places, shall be, and be reputed as Natives of the Kingdom of Scotland. And generally the said Company have communicated unto us a Right to all the Powers, Properties and Privileges granted unto them by Act of Parliament, or otherwise howsoever, with Power to grant and delegate the same, and to permit and allow such sort of Trade, Commerce and Navigation unto the Plantations, Colonies, Cities, and Places of our Possession, as we shall think fit and convenient.

And the chief Captains and supreme Leaders of the People of Darien, in compliance with former Agreements, having now in most kind and obliging manner received us into their Friendship and Country, with promise and contract to assist and join in defence thereof against such as shall be their or our Enemies in any time to come: Which, besides its being one of the most healthful, rich, and fruitful Countries upon Earth, hath the advantage of being a narrow I S T H M U S, seated in the heighth of the World, between two vast Oceans, which renders it more convenient than any other for being the common Store-house of the inseparable and immense Treasures of the spacious South Seas, the door of Commerce to China and Japan, and the Emporium and Staple for the Trade of both Indies.

And now by virtue of the before-mentioned Powers to us given, We do here settle, and in the name of GOD establish Our Selves: and in Honour and for the Memory of that most Antient and Renowned Name of our Mother Kingdom, We do, and will from hence-forward call this Country by the Name of Caledonia; and our selves, Successors, and Associates, by the name of Caledonians.

And

And suitable to the Weight and greatness of the Trust reposed, and the valuable Opportunity now in our hands, being firmly resolved to communicate and dispose thereof in the most just and equal manner for increasing the Dominions and Subjects of the King Our Sovereign Lord, the Honour and Wealth of our Country, as well as the benefit and advantage of those who now are, or may hereafter be concerned with us: We do hereby declare, That all manner of People soever, shall from hence-forward be equally free and alike capable of the said Properties, Privileges, Protections, Immunities, and Rights of Government granted unto us; and the Merchants and Merchant Ships of all Nations, may freely come to and trade with us, without being liable in their Persons, Goods or Effects, to any manner of Capture, Confiscation, Seizure, Forfeiture, Attachment, Arrest, Restraint or Prohibition, for or by reason of any Embargo, breach of the Peace, Letters of Mark, or Reprizals, Declaration of War with any foreign Prince, Potentate or State, or upon any other account or pretence whatsoever.

And we do hereby not only grant and concede, and declare a general and equal freedom of Government and Trade to those of all Nations, who shall hereafter be of, or concerned with us; but also a full and free Liberty of Conscience in matter of Religion, so as the same be not understood to allow, connive at or indulge the blaspheming of God's holy Name, or any of his Divine Attributes; or of the unholloving or prophaning the Sabbath Day.

And finally, as the best and surest means to render any Government successful, durable, and happy, it shall (by the help of Almighty God be ever our constant and chiefest care that all our further Constitutions, Laws, and Ordinances, be consonant and agreeable to the Holy Scripture, right Reason, and the Examples of the wisest and justest Nations, that from the Truth and Righteousness thereof we may reasonably hope for and expect the Blessings of Prosperity and Increase.

NEW-EDINBURGH, By Order of the Council,
Decemo. 28. 1698. Hugh Ross, Secretary.

We dare refer it to the Scrutiny of the nicest Observers, whether this Declaration infer any such thing as *Plunder*, or a Patent from the King to pick a Quarrel with the *Spaniards*, and to divide the Spoil of *Mexico* and *Peru*; what clandestine Artifices are here to be found to drain the English Plantations, and wherein does it interfere with the Interest of *England*, any more than all free Ports must of necessity interfere with their Neighbours? We wish that our Author would inform us how publick Declarations according to A&t of Parliament can be call'd clandestine Artifices, and defy him and his Suborners with all their art to find any thing pretended to in this Declaration, but what the Colony has a right to by A&t of Parliament.

The only thing this malicious Scribler can wrest to his Purpose in the Declaration, is the Colony's publishing that all manner of Persons, of what Nation or People soever, &c. should be equally free, and alike capable of the same Privileges with themselves, &c. which are the express Words of the Act of Parliament; and therefore supposing that the said Declaration should have influenc'd some People to come over to them from the English Plantations, the Colony could not be any ways blam'd for it. *Qui utitur jure suo nil damni facit*, is a known Maxim in Law.

The Libeller's Malice is not satisfied with reflecting upon our Colony, but flies on the face of the greatest part of the *English* in the *West-Indies*, as if they had so little Honour or Love for their native Country, as to lay their own Plantations desolate, and run over to ours. Indeed if most of them be such Persons as himself, there might be some ground for the Reflection; but till it appears to be so, we must beg Mr. H—'s leave

leave to have a better opinion of them. No Man of sense can believe that those who found themselves at ease in the English Plantations, would be fond of removing to a new Colony ; but if others who are at their freedom had a mind to do so, we know of no reason they should be hinder'd. The Subjects of *England* are a free People, and not confin'd to their own Dominions, but have liberty to trade and live elsewhere, if they find their account in it.

There's no man can blame the *Scots* for publishing their Declaration throughout the *West-Indies*, the thing being absolutely necessary in it self, and the natural Practice of all new Settlements to acquaint the World with the nature of their Design, and on what Terms they may have Commerce with them. We hope our Author and his Suborners will not say that the Subjects of *England* might not have traded with them for their own advantage, provided their Title had been unexceptionable : and seeing the *Scots* had reason to think it so, it was no act of unkindness in them to let the English Plantations know that they should be very welcome to trade to *Darien* ; and how this could be done so properly, and with so much effect as by Declaration, our Author would do well to acquaint us.

The Gentleman and his Friends are very angry that we should have made use of the King of *Great Britain's* Name to give the more Authority to the thing. We would very fain know their Reasons, why it is not as lawful for the *Scots* to make use of that Name as the *English*; and at the same time must take leave to tell the Renegado and his *Whitehall* Friends, that all this Venom they have spit at the *Scots* Colony is a virulent Invective against his Majesty. He impower'd them

to do what they accuse them for by Act of Parliament : and because our Antagonists have a mind to say that this *Ostroy*, as they call it, was destructive to the Trade of *England*, they find themselves oblig'd to make an Excuse for the King, *viz.* that the honest Gentleman meant no harm at the granting of it ; for it is to be believ'd, that he could scarce bear what was whisper'd for the noise of the Namur Guns, which is in plain English, he gave his consent to he knew not what. A noble Defence, for which his Majesty is oblig'd to them ! But Banter and Blasphemy they were fully resolv'd on ; and so they had but a Subject, they car'd not what. Nor *Adam*, nor *David*, nay nor the Almighty himself shall escape them ; but his Commission to the *Hebrews* when they departed out of *Egypt*, must come in to make up the profane Jest : thus Heav'n it self shall be charg'd at last with founding Dominion upon Grace, and giving the Elect a Divine Right to the Goods of the Wicked, after its being first thrown as a killing Reflection at the Heads of the poor Presbyterians.

H-s will needs infist upon it in his Dedication, that our Project on *Darien* was so secretly carried on, that it was not known to *England* till the same Wind that brought the News likewise inform'd the Nation that the *Scots* were march'd over to *Panama*, and had planted 80 Guns against it ; but unhappily forgets himself, and tells us, pag. 7. of his Book that *Paterson* communicated it to some select Heads in *England* that were able to bear it. And we can tell him further, that it was so well known to some in *England*, that they sent Capt. *Long* the Quaker on purpose to prevent us, and to do us all the mischief he could ; and accordingly he was on that Coast a month before us, tho' he did not land any Men till afterwards. As for the news

of the *Scots* having planted 80 Cannon against *Panama*, it's the first time we ever heard on't, and therefore must charge it upon the Author amongst the rest of his Forgeries. There was indeed a Report brought over by the *Dutch Gazetts*, which we suppose was inserted on purpose by our good Friends in *Holland* to render us odious, that we had plundered *Panama*; but that was a long time after the news of our arrival at *Darien*, and fram'd on purpose, as we have reason to believe, to justify the Proclamations that some Gentlemen at the West end of the Town had sent to the *West-Indies* against us; for we know they can have what they please put in the *Dutch Gazetts*, and that perhaps may be one main reason why they have been altogether silent as to the matter in their own. But that which sufficiently discovers the falsehood of this malicious Insinuation, as if we had a design to attaque *Panama*, or any other place belonging ro the Spaniards, is, Mr. *Paterson's* Letter to his Friend at *Boston* in *New-England* (and sent us thence in print) dated at *Fort St. Andrew* in *Caledonia*, February 18. 169⁸. above fifteen weeks after the arrival of our Colony; wherein he acquaints that Gentleman, *That they had written to the President of Panama, giving him an account of our good and peaceable Intentions, and to procure a good Understanding and Correspondence.*

The Letter it self is as follows.

An

An ABSTRACT of a LETTER from a Person of Eminence and Worth in Caledonia to a Friend at Boston in New-England.

I HAVE received your kind Letter of the 26th of December last, and communicated it to the Gentlemen of the Council here; to whom your kind Sentiments and Readiness were very acceptable.

Certainly the Work here begun is the most ripened, digested, and the best founded, as to Privileges, Place, Time, and other like Advantages, that was ever yet begun in any part of the trading World. We arrived upon this Coast the first, and took possession the third of November: Our Situation is about two Leagues to the Southward of Golden-Island (by the Spaniards called Guarda) in one of the best and most defenceable Harbours perhaps in the World. The Country is healthful to a wonder, insomuch that our own Sick, which were many when we arrived, are now generally cured. The Country is exceeding fertile, and the Weather temperate: The Country where we are settled, is dry, and rising ground, Hills but not high; and on the sides, and quite to the tops, three, four or five foot good fat Mould, not a Rock or Stone to be seen. We have but eight or nine Leagues to a River, where Boats may go into the South-Sea. The Natives for fifty Leagues on either side are in intire friendship and correspondence with us; and if we will be at the pains, we can gain those at the greatest distance. For our Neighbour Indians are willing to be the joyful Messengers of our Settlement, and good disposition to their Country-men. As to the innate Riches of the Country, upon the first information, I always believed it to be very great; but now find it goes beyond all that ever I thought, or conceited in that matter.

The Spaniards, as we can understand, are very much surprized and alarm'd, and the more that it comes as a Thunder-clap upon them; having had no notice of us, until three days after our arrival. We have written to the President of Panama, giving him account of our good and peaceable Intentions, and to procure a good Understanding and

and Correspondence ; and if that is not condescended to, we are ready for what else he pleases. If Merchants should once erect Factories here, this place will soon become the best and surest Mart in all America, both for In-land and Over-land Trade. We want here Sloops and Coasting Vessels ; for want of which, and by reason we have all hands at work in fortifying and fitting our selves (which is now pretty well over) we have had but little Trade as yet ; most of our Goods unsold. We are here a thousand one hundred Men, and expect Supplies every day. We have been exceeding unhappy in losing two Ministers who came with us from Scotland ; and if New-England could supply us in that, it would be a great and lasting Obligation.

Fort St. Andrew, February

18th, 169⁸.

A farther proof of the Falshood of this Insinuation is Capt. Pennicook's Journal sent to the Company over England, and dated Decem. 28th, almost two months before this Letter to New-England, wherein they give an account of the Information they had from several hands, that the Spaniards were marching with 900 men from Panama to attacque them by Land, whilst their Men of War were to attacque them by Sea; upon which they did all they could to put themselves in a posture of defence against them, so far were they from any design of marching towards Panama.

The matter being so, H--s Suborners have lost their Argument from this Topic also, to justify their proceedings against us.

He goes on to tell us, That England had no reason to go to War with the Spaniards on the score of our Company, who besides all the Loss of their Trade, must throw away more English pounds (thrice over) than there's Scotch in our Capital Stock ; and he will leave it to any Man of half an ounce of Politicks to find out the

the fest on't, save this Hot-headed Author of our Colony's Defence.

Mr. H--s and his Suborners may please to know, that we neither desir'd nor expected that *England* should go to War with the *Spaniards* on the account of our Company; and had as little reason to expect that a Faction in *England* (for we will not be so unjust as to charge it upon the Nation) should go to War with us on account of the *Spaniards*, before we could be heard in our own defence; we mean that Proclamations should have been publish'd in the *West-Indies*, inferring that the King of *England* has a power to declare that to be a breach of the Peace that is done by the Authority of the King of *Scotland*; that they should thereby forbid their Subjects of *England* to entertain any Commerce with us, refuse us Provisions for Commodities in our distres, except we will bring our Ships under the Guns of their Fort at *New-York*; punish their Subjects for entertaining Commerce with us, and threatening to lay the Commanders of our Ships in Irons if they offer to put in for Refreshment, or to refit after a Storm, as they did to Capt. *Jamison* at *Nevis*. That this wants very little of going to War with the *Scots*, we believe most thinking men are very well satisfied; but whether it be so or not, we will venture to tell the Renegado and his Suborners, that by this kind of Procedure against the *Scots*, as if we were Servants and Subjects to *England*, some Gentlemen in and about *White-hall* have giv'n the *Spaniards* just occasion to make War upon *England* if they were able, or at least to make Reprisals upon the *English* for the damage they pretend to have suffer'd from the *Scots*, whom the *English* Court by this sort of Treatment have declar'd to be their Subjects; whereas if they had

not

not invaded the Sovereignty of *Scotland*, the *Spaniards* could have had no such pretence. Now whether men that had been endow'd with a quarter of an ounce of Politicks would have been guilty of such a false step as this, let our Author's Sub-orners determine. And besides, we must tell them, that the Men whom Capt. *Long* had set ashore with Capt. *Diego* in the Gulph of *Darien*, committed the first Hostility on the *Spaniards*, and kill'd seven of them, with a design, for any thing we know, to trapan us into a War with the *Spaniards*, since one of the same Fellows came to our Colony afterwards for Powder and Shot, which our Men wisely deny'd them, and told them they had done what they could not justify.

The Author of the Defence of the *Scots* Settlement dos no where advise the *English* to a War with *Spain* on the score of our Company; but gives such Arguments to prove that they had no reason to dread the Effects if *Spain* should make War with them on that Account, and that it was the Interest of *England* to have supported the *Scots* in that Settlement, as have not yet been answer'd, and therefore we shall say nothing farther of it here.

Our Author and his Friends are pleas'd to call our apprehensions of the Places being posseſſ'd by the *French* bugbear Stories, because the *French* have another Game to play at present with *Spain*, or might have secur'd *Carthagena* when they had it in their Power; and that if *France* or *Holland* had any such design, they may go sit down within a League of either side of our Colony with as good a Title as ours.

But that the *French* are generally wiser than to lay out their Mony upon such Tools as this Author appears to be by his way of arguing, one would be

be apt to think he had touch'd some *Leuidor's*: Does he conceive that the *French* understood their Interest so little during the War that threatned their Ruine, as to settle a Colony in the *West-Indies* at a time when they stood in more need of them at home to defend their own Country, and cultivate their Ground and Vineyards? Is it not known that their Design was on the *Spanish* Plate, in order to enable them to continue the War, and not on the *Spanish* Plantations, which they were in no Capacity to defend against the *Spaniards* and their Allies if they had at that time seiz'd any of them? Does our Author and his Suborners think that *L. XIV.* did not understand his Interest better than to offer at a Settlement in the *Spanish West-Indies*, especially at a place of such Importance as *Carthagena*, and thereby have given the *English* and *Dutch* an opportunity of settling there themselves by coming to drive him out? Could he think that the two Nations of *Europe* that have the greatest Naval Force, and were most concern'd of any to reduce him to reason, would sit still and suffer him to seize the *Spanish* Treasures, and by that means enable himself to bring all *Europe* under his Yoke? It is impossible such a thought could ever enter into his mind; and therefore he had very good reason to forbear keeping possession of *Carthagena*, since 'twould have been the ready way to have spoil'd his future pretensions to the *West-Indies* in case of the *K. of Spain's* death, which every body then expected daily. And whenever it happens, if he die without Issue, as there's great odds he will, we stand in need of better Guarantees than *H—* and his Suborners, that the *Fr.* King will not seize the *Spanish West-Indies* and *Darien* into Boot; against which there are those

those who have studied Politicks as much as our Author, who are of opinion that the Settlement at *Darien* might have been no contemptible Barrier.

The Scribler takes upon him to pass his word for his Majesty that the *Scots* Crown will receive no blemish or disreputation by his wearing it. We believe his Majesty will scarcely thank him for his Security, and we are satisfied our Nation will as little rely on it. But at the same time we must tell this Gentleman and his Suborners, that we had as little reason to suspect that K. *Charles I.* who was a Native of *Scotland*, would have dis honour'd our Crown so far as to order it to be brought to *England*; and therefore it is not impossible for Princes to be over-perswaded by ill Council, to do such things as are inconsistent with the Honour of their Crowns. And thus some will venture to say, that the Crown of *Scotland* was no ways honour'd, when the *Dutch* Troops took place of the King of *Scots*' Guards; and when the King of *England* takes upon him to condemn by Proclamations what the King of *Scotland* has approv'd by Act of Parliament and Letters Patent.

The Scribler comes next to give us a taste of his Skill in the *Brittish* History he brags of so much, by telling us the Fate of some great *Scots* Families that swell'd beyond their Proportion. His Instances of the *Cummins* and *Gouries* sufficiently discover his Ignorance of the *Scotish* History. The former was indeed a very great Family, but are an inauspicious instance for him and those of his kidney, their ruin not being occasion'd by their Greatness, but by joyning with the Enemies of our Nation as this Renegado does.

As for his Application of his Instances, it serves to discover the malicious Designs of himself and Suborners against the two greatest Families that are now left in Scotland. The kind treatment this Author met with from one of these great Men upon his arrival, after having deserted our Colony, would have oblig'd any but a Monster of Ingratitude to have forborn such a causeless and invenom'd Reflection, which nothing but ingrain'd Malice can suggest.

We come in the next place to take a view of the Book it self. in the very first Page he owns *he is no Friend to the Scots Company, and alledges he has more reason for it than those Skeletons that are starved to death.* This we hope is sufficient to shew what credit is to be given to his Narrative, wherein tho he promises to keep close to matter of Fact, he abounds with blasphemous and impertinent Digressions : One of the first we shall take notice of, is his unmannerly Reflection on the City of London, pag. 3. *as a place where Matter is never wanting to exercise plodding Heads.* Which is so near a kin to the Language of the Faction that in the late Reigns aim'd at the destruction of that Noble Emporium, which deserves to be the Mistress of the Universe, that we cannot in the least doubt but it proceeds from the same Spirit. Of the same nature is his reflection, pag. 7. upon the London Subscribers, who came in so fast to the Scots Company, *that he thought himself the happiest man that could get his Name first down in our Books :* Which is a plain demonstration that those eager Subscribers thought the Design no way prejudicial to the Interest of their Country for upon enquiry it will be found, that most of them were such as had zealously appear'd for Liberty in former Reigns.

His malicious Reflection in that same Page, as if the Company had promis'd 20000*l.* to *Paterson, Smith, and Lodg,* to engage Subscriptions in *England* and the *Hans-Towns*, is notoriously false: they had not one Farthing promis'd them, tho' to be sure the Company would have rewarded them for their Pains and Service, as it was reasonable they should; besides, it appears by the eagerness of the *English* and *Hamburgers* to subscribe, until they were prevented by their respective Governments, that there was no occasion for such a Bribe to bring in Subscriptions.

His Reflection, pag. 8. of our printing the Address of the Commons at *Edinburgh*, but not the King's Answer, admitting it to be true, is so far from being criminal, that it rather argues the greatest respect imaginable for his Majesty, whom we would not lessen in the esteem of the People of *Scotland*, who knew they had a natural Right to claim and expect his Protection. His owning in that same Page, that the Company's Books had not been long open'd in *Edinburgh* till 40000*l.* was sign'd, and that all sorts of People (whom he is pleas'd to express under the scurrilous denomination of poor, blind and lame) crowded in with their Subscriptions, serves to confute his foregoing and following Reflections, *That the Company was obliged to promise 20000*l.* to procure Subscriptions, and to go where the Money lay, viz. to Holland and the Hans-Towns;* especially since he owns himself, p. 10, 19. *That they were baulk'd of their Subscriptions in England and Holland, and had not one Groat of the Hamburgers Money.*

His Reflection upon Mr. *Paterson*, pag. 8. whom he blasphemously calls *the Man Paterson*, alluding to the Apostles calling our Saviour *the Man Christ.*

is altogether false : he always propos'd the paying half the Subscriptions, and most of the Subscribers were resolved to pay the whole ; as it appears they have already a considerable part of it, by their having sent away three Convoys, and being busy in preparing a fourth. His Irreligious and Atheistical temper appears further by his reflecting upon their expecting good Returns by the *old Cant of God's Blessing*, as if it were possible to look for Success in any thing without the Divine Benediction, or ridiculous to express our dependency on it. But it seems his Suborners are resolv'd that our Nation shall be huff'd, banter'd, and blasphem'd out of all their Rights as Men and Christians.

His next Reflection, p. 9. of our sending Persons to build six Ships of fifty Guns apiece at *Amsterdam* and *Hamburgh*, to prepossess the Dutchmen with a kind opinion of the Company, and thereby make it appear how willing we were to extend the warm Rays of our Octroy to people who deserv'd it better than our ungrateful Neighbours, is malicious to the highest degree. He and his Suborners very well know, that we could neither build nor buy in *England*, because of the opposition made to us there ; and since 'tis known that they can build cheaper in *Hamburgh* and *Holland* than in *England*, our offering first to lay out our Money with our Neighbours, and not going beyond Sea till we were compell'd to it, is a proof from his own Mouth, that we had no other but friendly Intentions towards the *English* Nation.

His Insinuation of the Difference betwixt the Kirk and Church Parties, about each of them employing their own Instruments, shews more Malice than Wisdom ; since admitting People of different Perswasions into Companies is practised in all trad-

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ing parts of the World, and particularly in *England*, where the Dissenters have no small share in all their Funds and Companies: but by this they may see what fair Treatment they are to expect, if *H — s* and his Suborners could get their wills. The old Popish Maxim would soon be brought into practice, that no man should have Leave to buy or sell, but he that is of the public Religion.

His next Story of our Debate about entrusting any man that was fed on *English Beef* and Pudding with 20000*l.* for the use of our Delegates abroad, is equally scurrilous and false. We trusted no man but Mr. *Paterson* with that Money, and did not think it fit that every Subscriber, but that only a special Committee should know how that Money was to be employ'd. Nor can this be charg'd upon us as a piece of foolish Confidence in Mr. *Paterson*, whom the Scribler owns *P. 4.* to have been intrusted with laying the Foundation of the Bank of *England*, tho ill rewarded for it. His malicious Calumny, that Mr. *Paterson* did afterwards form the *Darien Project* to be reveng'd on the *English Nation*, is sufficiently falsified by his and our first Offers to take in the *English* as joint Subscribers, after the said Project was actually form'd, and imparted to some select Heads, as he himself owns *P. 7.*

As to *Smith's* cheating us of 8500*l.* it was our Misfortune, not our Crime, as is manifest from our Diligence in recovering 4500*l.* of it. This Renedo's saying *P. 11.* that *Smith* deservedly bubbled us, argues himself to be as great a Cheat as *Smith*; and there's little reason to doubt, but he defrauded the Company as far as opportunity would allow him, when intrusted as Purser with their Stores from *Hamburgh*, and elsewhere, which he seems to own himself when he boasts of his bringing

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home as much Gold-dust from Darien, as any of the Counsellors, P. 149.

His Assertion P. 14. that Capt. Gibson was cheated of the 2 per Cent Commission Money, is a shameless Falshood ; the Captain was satisfied, and rewarded to his own content.

The next proof we have of the Ingenuity of this Renegado and his Suborners, is P. 15. where he tells us that Paterson being in Drink, babbled out a Secret of the Company at Camphire, viz. That their Act empowered them to give Commissions to any kind of People (without asking their Nation) to trade to the Indies under Scots Colours ; and that such People might dispose of their India Goods where they pleas'd, providing they made a sham Entry in Scotland. To say that this was a Secret of the Company, and in the same breath to inform the World that Mr. Paterson said, they were impowered to do so by their Act, which was every where publick, and in print, is like the rest of the Libeller's Inconsistencies : But his Suborners and he were so far transported with Malice, that they resolv'd to dress our Act of Parliament throughout in the disguise of a Cheat, and charge it upon the Company as secret Intrigues, without ever considering that the Act it self would discover their Falshood and Malice. The Clause of the Act is as follows : " And that the said Company may, by virtue hereof, grant and delegate such Rights, Properties, Powers and Immunitiess, and permit and allow such sort of Trade, Commerce, and Navigation into their Plantations, Colonies, Cities, Towns, or Places of their Possession, as the said Company shall from time to time judg fit and convenient.

These being the very words of the Act, the Dutch could not be impos'd upon in that manner by

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Mr. Paterson, if he had been so minded ; or had he been drunk, as the Libeller says, when he told the story, they must have been very weak men, that would offer to sign upon the words of a drunken man, without seeing the Act it self. It is not to be doubted but this Clause impowers the Company to allow such a Trade as *H—s* mentions ; and therefore it might be proper enough for Mr. Paterson to urge it as an Argument to engage Subscribers : but that he could do it in these Terms that *H—s* here sets down, there's no ground to believe ; and therefore his Answer to those that would not sign but on that bottom, that *the Company had no occasion to make use of that Power at present*, was very proper. The Story of the sham Entry in *Scotland*, paying 3 per Cent. to the Company, and thereby underselling the *English* and *Dutch* 17 per Cent. is so void of all sense, that it would seem the Libeller and his Suborners were drunk when they suggested it. The Act does indeed oblige such Ships as were employ'd by the Company to break bulk in *Scotland*, but lays no such Obligation upon those that they might impower to trade to their Colony : And considering what has been already said of the Drawbacks, that the Cargo of the said Ships was Custom-free nowhere but in *Scotland*, and that by his own concession they were to pay 3 per Cent. at least to the Company, how was it possible they could undersell the *English* and *Dutch* 17 per Cent. especially considering the vast Quantities that those two Companies buy at a time, and by consequence were like to have the prime Cost easier than our Infant Company ?

After all this sham Story, he happens to tell the main reason of the Miscarriage of our Design in

Holland, and perhaps of its doing so in *England*. The Dutch East and West India Companies, says he, complain'd to the Lords of Amsterdam that the Scots Commissioners were designing the ruin of their Trade. Which by the way shews that the Project of an American Trade was discours'd of by the Commissioners ; which the Libeller, it's probable, would not have mention'd, had not his Memory given him the slip, and that he forgot he had formerly told us that the *Darien* Project was still kept secret. Why then should the Dutch West-India Company be so much concerned at our taking Subscriptions there, but that they knew we had a design on the Isthmus of *America*? and therefore their East-India Company knowing also, that we being once Masters of a good Settlement there, it would have abridg'd the way, and made Voyages speedier to *China*, *Japan*, the *Philippine Islands*, &c. where their Trade lies, they thought it might in time be dangerous for them, if that *Isthmus* should be posses'd by the Subjects of *Great Britain*. So that there's no reason to doubt but they found Interest enough at the West end of the Town to lay as many rubs in our way as was possible to be done.

P. 17. The Libellers give us another Evidence of their Candor and Ingenuity, when they tell us, ‘The *Hamburgers* knew nothing of *Darien*, but builded altogether on Ships laden with *India* Goods, whereof their City and Port was to be the Receptacle and Mart, whilst *Paterson* wanted only Money to raise Forces to overrun *Mexico* and *Peru*. But our Author and his Suborners ought to have consider'd, that since they have told us of the Fears of the Dutch West-India Company, we could easily infer, that the Project of the *Isthmus* could not be long conceal'd from the *Hamburgers*: That the

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At it self would satisfy the Subscribers there, that the Company's Ships must break bulk in *Scotland*; and therefore they could not expect to be the Receptacle and Mart of our Stores: whatever they might hope for as to conveying the Merchandise to the Inland Places of *Germany*, they could not but think that we had Shipping of our own to carry our Goods to the Ports on the *Baltick* and *German* Sea.

In that same Page they give us another hint to confirm our Suspicion that it is more from the apprehensions of our lessening the *Dutch* than the *English* Trade, that the Court have so violently oppos'd us, viz. 'that the *Hamburgers* by joining 'with the *Scots* had a prospect of worming the '*Hollander* out of a good part of the *German* Trade. Which admitting to be true, the *Hollanders* had none but themselves to blame for it, since we offer'd to take them in as joint Subscribers before we made any Proposal to the *Hamburgers*; nor is it any ways unreasonable in it self that *Germans* should have the preference of other Nations in trading with *Germany*.

After a great deal of prophane Banter and ridiculing the sacred Text, he tells us that the Human Reason of our Disappointment was an unnecessary Paragraph in our *Odgroy*, which occasion'd a great many English and Holland Speculations, viz. That in case the Company should be interrupted in their Trade, &c. the King had ingaged to interpose the Royal Authority to do them right, and that at the public Charge; which, says he, *Pateron* and the rest insinuated in all Companies, That the King was to assist and defend them with his Ships of War, or otherwise, if there was occasion, and that out of his own Pocket, which they did not question to be English Coin.

There's no reasonable Man will think it unnecessary that a Prince should protect his Subjects in their Trade, either by his Men of War or otherwise; and therefore this being a Clause of the Act of Parliament, it was no ways unnecessary to be put into the Patent: and we will adventure to tell *H*-- and his Suborners that they who advis'd his Majesty to refuse our Company the three Men of War built at our own Charge, when they offer'd to be at the expence of maintaining them, have advis'd him to act contrary to the Trust repos'd in him as King of *Scots*, and to contravene this very Act of Parliament, and that which order'd those Ships to be built for defence of Trade; than which there cannot be a more false step in Government: for when once People perceive that Princes have no regard to the Laws made for the protection and welfare of the Subject, they will naturally think themselves absolv'd from such as require their Allegiance, and support of the Sovereign. That Mr. Paterson, and the *Scots* Company should insinuate from the *Odry* that we were to be assisted or defended by *English* Men of War or Money, is nothing but a mixture of Falshood and Malice. The Libeller owns that the Words of our Act cannot bear it, and the World knows that our Parliaments never pretend to dispose of *English* Ships or Mony; and therefore no man of sense will believe this Renegado, when he says the *Scots* Company put that Gloss on the Text for their own advantage, since that had been directly to expose themselves. For we are not to suppose they could think the *Dutch* and *Hamburghers* so weak, as not to peruse the Act it self, which would soon have undeceived them: Therefore all those Reflections, which he pretends the *English* Traders to India made

made upon it, must vanish of course, as having no manner of Foundation.

Much less can they serve to justify the Memorial given in at *Hamburgh* by Sir *Paul Ricaut* against our taking Subscriptions there: Which Memorial, tho minc'd by our Libeller, yet ev'n as he represents it, is against the Law of Nations, and indeed scarcely reconcileable to good sense; in the first place to call our Agents private Men, who acted by the Company's Authority, and according to Act of Parliament; and in the next place to suppose that the *Hamburgers* could possibly join with us in hopes of *English Protection*, when the Opposition made to us by the Court of *England* was known all over Europe: nay the Scribler himself owns, *P. 17.* *That the more Opposition the English and Dutch offer'd to the Project, the more the Hamburgers thought it their Interest to embrace it.* This is sufficient to convince the Suborners that the next time they hire a Scribler to belie the *Scots Company*, they must be sure to pitch upon one that has a better Memory.

His next Reflections *P. 22, 23.* *That our Ships were neither fit for Trade nor War, that our Cargo was not proper, that our main Design was the Buccaneer Trade, that above 10000 l. was deficient of the first Payments, and most of the Subscribers not able to raise their Quota, are equally false with the rest.* The Ships for their Burden and Size, are as fit either for Trade or War as any in *Europe*. The Cargo of Cloth, Stuffs, Shoes, Stockins, Slippers, and Wigs, must needs be proper for a Country where the Natives go naked for want of Apparel, and fit to be exchanged for other Commodities, either in the *English, Dutch, French, or Spanish Plantations.*

For

For Bibles we suppose our Libeller would rather we had carried Mass Books ; yet others will be of opinion, that 1500 of 'em was no unfit Cargo : Our own Colony might have dispens'd with that number in a little time ; nor were they unfit to have been put into the hands of such of the Natives, especially of the younger sort, that might learn our Language. For Hoes, Axes, Macheet Knives, &c. they were absolutely necessary for our selves, and a Commodity much valued by the Natives. Fifteen hundred square Buccaneer Pieces, and proportionable Ammunition, was no such extraordinary Store for eleven or twelve hundred men : and whereas he maliciously insinuates that Buccaneering was our main Design, the Event hath prov'd it to be false ; had that been our intent, we might easily have invaded the *Spanish* Plantations at both ends of the *Isthmus* ; *Santa Maria*, nor *Panama* it self, could never have been able to withstand such a force, when a few un-disciplin'd Buccaneers did so easily take them. It's well enough known there was a parcel of as brave Men that went with our Fleet as perhaps *Great Britain* could afford, many of 'em inur'd to War and Fatigues, and knew how to look an Enemy in the Face without being daunted. They had giv'n proofs enoug' of that in *Flanders*, where no men alive could fight with more Bravery and Zeal than they did for the Common Cause, tho' some People have since thought fit to starve them. That there was above 10000*l.* of the 100000*l.* not paid in, is false ; there was not above 2000*l.* wanting. For those great men that thought their Countenance enough, and therefore refus'd to pay in their Subscriptions, he shall have our leave to name them ;

them ; but perhaps his Suborners will not care to have their Friends so much expos'd. That most of the Subscribers were unable to raise their *Quota*, is demonstrably false, by our sending away two Convoys since, the thirds being greater by far than the first, and that we are now preparing a fourth. As to the Companies charging 25 per Cent. advance on every Article of the 19000*l.* Stock, it's well enough known that so much Advance is thought nothing in a *West-India Trade*; it was all the profit the Company was to have, and only charged in the Books by way of Formality, that the Colony might know what they were indebted to the Company.

His Story, p. 23. of its being propos'd in the Company to sell off their *Ships and Cargo*, and divide the *Product amongst the Subscribers*, is nothing to our dishonour, nor at all to be wondred at, considering the unreasonable opposition we had met with from Court. That we rejected it as *inglorious*, argues still that we are not so mean-spirited as he elsewhere represents us. His base Reflections, p. 24. on the Company, as if they had despair'd of the design, and sent their men to Sea on purpose to perish; and on *Drummellier*, that he order'd the *Colony* to get *Mony honestly if they could, but be sure to get it*; and if they came home without it, then the Devil get them all, serve only to discover his own Temper, and that he thinks all men act and speak like himself. We have said enough already to demonstrate the Honesty of both Company and Colony : Had their design been to get *Mony* without regard to Honesty, they would not have been starv'd to death by the Proclamations, and other opposition made them at Court ; they could quickly

Iy have possessed themselves of the *Spanish* Mines, which the Scribler owns, p. 164. were within twelve Leagues of them, and with much more ease of the 40000*l.* that was sunk in the *French* Ship. But he serves the Suborners for their Mony much at the same rate he did the *Scots* Company.

His Reflection p. 25. that Mr. *Stratford* was oblig'd to arrest our Ships at *Hamburgh* for 800*l.* *Flemish*, as they were fitting out, serves only to discover his own malice and folly; Mr. *Stratford* had very good Security for 800*l.* *Flemish* when he had four Ships in Port not yet fitted out; and his receiving his Mony in a fortnight or three weeks, as the Libeller owns in the same Paragraph, shows he had no ill Paymasters to deal with. It were well for *England* if all those that have been imployed in the Royal Navy could say as much by his Suborners and their Friends. As for our discharging Mr. *Stratford* to be any longer our Cashier, there's no need of assigning any other Cause for it, but that Sr. *Paul Ricaut*'s Memorial render'd it needless; and to that same account we must charge the two Ships that were left there to rot in their Ouse. But at the same time we will tell him we had no great reason to be satisfied with Mr. *Stratford*'s Conduct, and believe we have less now than ever since this Libeller defends him.

His Story p. 26. of Mr. *Henderson*'s arresting another of our Ships for 3000*l.* is sufficiently anfwer'd by himself, when he tells us, that he and his Partners fail'd in their Subscriptions, which was a just debt due to the Company, and therefore they had reason to demand and expect it, especially he being a *Scots*-man: yet the Company dealt

dealt very kindly with him on that account; and so much the more, that they consider'd his being a Residenter in *Holland*, where he was liable both to the *English* and *Dutch* Court, to whose account the Libeller must also charge this Affront, and the Loss we sustain'd at *Amsterdam*.

What he says of our Seamen, p. 27, 28. is a manifest untruth. They were immediately paid, extreamly well satisfied; and we had such choice of able Seamen who were willing to go in the Expedition, that we turn'd several ashooar after they had embarqu'd, as having no occasion for them. As to his Reflection on Mr. *Robert Blackwood* for pinching them of their Wages, and p. 46. for cheating them as to their Provisions; that Gentleman is now at *London*, where we leave H-s and him to account for it. We doubt not but Mr. *Blackwood* may have Justice done him in *Westminster-hall* if he thinks fit to sue for it; but so much we think our selves oblig'd to say in his Vindication during his absence, that he was never charg'd with any such thing by the Company.

His next Reflections on the Transfer, p. 29. by which he would impose on the World as if it had been a Trick of the Company to cheat the Seamen of their Wages, are so much the less to be credited, that he himself is a Party, and commenc'd the Suit he talks of in *Doctors Commons*; which tho that Court may perhaps have determin'd in his favour, because the Bargain was made with him in *London*, and those that made it were on the Spot; and for other Causes best known to themselves, it is nothing at all to the matter in hand; our Courts have no reason to take them for a Precedent, and our Company has as little to allow the Libeller any Wages. But

But to come to the Transfer, which he so foully misrepresents. It was so far from being a clandestine practice, that it was agreed on in publick Council, and but highly reasonable that the Colony should be accountable to the Company for the Stock they intrusted them with. The Libeller only betrays his own Folly and Malice, and imposes upon his Suborners, when he says the Gentlemen who gave their joint Bond to the Company for 70000*l.* were not worth so many English Pence; for, admitting they had not been worth one penny of personal Estate, they were intrusted by the Company with 19000*l.* Cargo, and Ships, Provisions, &c. to make it up 70000*l.* which was not charg'd upon them as their personal Debt, but upon the Colony as a Corporation, till the same was paid. What he says as to the Seamen is a malicious Untruth. It was indeed agreed that the Colony should pay them; but if they did not, the Company was to do it: and besides, the two months advance which the Libeller owns was paid them, the Company was to pay to them, or to those that had their Powers, or Letters of Attorney, a Month in six, and have accordingly paid them. As to the Seamens being made believe that as soon as they had set the Landmen on shoar, they were to proceed on a trading Voyage, and return to *Scotland* to be paid, it is equally false, they being to stay out whilst the Company pleas'd.

Then as to the Transfer in general, it was so far from being clandestine, or a Trick, that the Company was impower'd to make it by the Act of Parliament which gave them their Original, as any Person may see by turning to the Act it self, which

which authorizes them to transfer their joint Stock, or Capital Fund, or any Estate real or personal, Ships, Goods, &c. belonging to the Company, under such Restrictions, Rules, Conditions, &c. as the said Company shall by writing in and upon their Books, &c. appoint.

As to the Landmen, whom he will also have to be impos'd upon, they knew what they had to relie on, and were very well satisfied with it ; and as to the Companys levying Souldiers under the Nation of Planters, without asking leave of the Privy Council, admitting it to be true, they are not at all to be blam'd for it, since they had no reason to think that the Faction at Court, which had contraven'd Acts of Parliament by opposing their Subscriptions, and denying them the Men of War built for the protection of our Trade, would allow them to levy Souldiers under that Name. But the truth of the matter is this, they were really design'd for Planters, and not at all for Military Business ; tho it was highly necessary the Colony should have as many Officers and disciplin'd Men as they could, that they might be the more able to defend themselves in case of Attaque : and therefore his railing against the Colony for offering to punish Deserters and other Criminals, pag. 31. only discovers his own ignorance and malice ; for by the Act of Parliament they had the whole Power, Civil and Military, conferr'd upon them, and accordingly might exercise their Power upon all Persons belonging to the Company as they saw cause ; so that this is again a libelling of the Act of Parliament thro the Company's sides.

His Representation of the seven Men chosen for Counsellors, page 34. is false and malicious to the highest degree. The liberty given to add other

six to those seven, was not, as he spitefully insinuates, for *English* or *French*-men of Substance that should join them from the *West-India* Plantations, but for such of their own number as they might think fit to assume afterwards. It cannot once enter into the thoughts of any man of sense, that the Colony should at first entrust Foreigners, and especially *French* Papists in their Government, or that the Company had any design they should do so; but he and his Suborners think it their Interest to make us odious to the *English* and *French*, by accusing us of a design to drain their Colonies.

As to Mr. *Paterson*, whom he hath all along abuse'd, he happens now thro Inadvertency to vindicate him from his own Calumnies; he formerly charg'd him as being Partner with *Smith* in cheating the Company of 8500*l.* and now he tells us that Mr. *Paterson* was brought to this *Dilemma*, either to go aboard the Fleet bound for *Caledonia* as a Volunteer, or to go to Prison at *Edinburgh* for Debt; which, had he cheated the Company of so much Mony as this Libeller pretends there had been no occasion for, he might have paid his Debts, and gone where he would: and besides, the Scribler vindicates the Company at the same time from his former Charge of their being bewitch'd by *Paterson's* golden Dreams, &c. for had they relied so much upon him as the Libeller alledges, they would never have shew'd that indifference for him which here he ridicules him with. Such has been the hard Fate of the Suborners, that their Tool has not the sense to make his Evidence consistent, but every where cuts his own Throat by Self-contradictions.

To sum up the Matter according to the Libeller's own Evidence. In the Council there were some Men of Quality, that had been bred to the Sword and the Law, others had been Officers both by Sea and Land, and some that had gain'd Experience in Merchandizing, and several Trades.

His Banter on the death of the Ministers and Blasphemous abuse of Scripture, P. 37. smell so rank of the Atheist and Libertine, and do so evidently prove that he hath lost all sense of Humanity and Religion, that we are satisfied it will do his Masters and their Cause more hurt than Service; and therefore we pass it over.

The next Proof we have of his Falshood and Malice, is his long Story about Mr. *Wafer*, from Page 38 to 45, wherein he does so blend Truth with Falshood, as shews he had a mind at any rate to bespatter the Reputation of the Committee of the Company: the said Committee knew nothing of those Gentlemen's treating with *Wafer* at *London*, till they acquainted them with it, and it was only upon their Recommendation that they sent for him: As to their Collecting any Guineas at *Pontack's* for Mr. *Wafer*, it is altogether false. The Articles were drawn by Mr. *James Campbell* the Merchant, now in *London*, and wrote by Mr. *Fitz Gerald* an Irish Merchant, who both can testify that this Matter is foully misrepresented; for Mr. *Wafer* had an Alternative propos'd to him, which he agreed to, viz. to have so much if the Company thought fit to employ him, and so much for his trouble and pains if they did not; the Company was so far from standing in any need of his Book, that they had a Manuscript of it before ever they saw him, which was altogether unknown to the Gentlemen that treated with him at *London*; this he himself knows to be true, and that to his no small surprize, they repeated several Passages out of it to him, and indeed the Manuscript is more particular than his Book, whatever Cause he hath since had to make any Alterations in it we know not. The Company upon the whole, finding that he could inform them of no thing considerable more than what was in the Manuscript, and that he could do them no great Service, left him at his Liberty to publish his Book when he pleas'd, gave him about 100*l.* first and last for his Pains and Expence, with which he was very well

satisfied, and hath declared several times since that the Company dealt very honourably with him, tho Mr. H——s took a great deal of pains to make him publish a Memoire to the contrary, which by his honest Friend Mr. Fitz Gerald's Advice he desisted from doing. As to the Libeller's malicious Insinuation that they had no further Service for him when once he had discovered the place where the *Nicaragua-Wood* grew, It is absolutely false, for the Manuscript they had was very particular in that. ... This Mr. Wafer knows to be true, and if he have but a just resentment, he is equally concern'd to vindicate himself; for, the Libeller reflects as much upon him as upon the Company, when he charges him with putting a Cheat upon them, as to their *Nicaragua-Wood*, P. 44. which H——s says he and others went in search of for several Miles along the Coast, but could find none; and yet he magnifies Wafer's Freedom, and being ingenious by informing them so particularly, as to the place where the *Nicaragua-Wood* grew, P. 41. So perpetually does this malicious Libeller contradict himself. —— As to the other parts of his Story of Mr. Wafers being conceal'd near *Haddington*, and afterwards at *Edinburgh*; it was no more than what Prudence would have directed any Men to do in the like Circumstances: the Company not knowing till after having discours'd him whether he could do them any Service or not; it was not their Wisdom to expose him to publick View; and having found that he could not serve them, it was equally prudent in them to keep him at an uncertainty as to their design; they being under no obligation to acquaint him with it. As to the Story of Admiral *Bromo*'s waiting their motion; if they did say so, the Event hath made it but too probable; he hath waited so long in those Parts till our Colony hath left *Darien*: what Orders he had concerning it, or what Part he hath acted in it, Time must determine; but if all that we have heard of large Bills being return'd him, and of his Offers by his Sloops to draw our Men from our Colony be true, there's reason to suspect that he was sent thither with no design for our advantage: However that may be we know not; but this we know, that if our Enemies at Court had been as zealous to protect us as they have been to ruin us, the Admiral would certainly have had Orders to have made Reprisals on the Spaniards for detaining

Capt.

Capt. Pincarten his Ship and Men, contrary to Treaty with the King of Great Britain, when forc'd a-shoar by a Storm under the Walls of Carthagena.

He tells us, P. 45, " That two thirds of the Provision were spent ere the Fleet sail'd, that there was none to be had in Scotland at that time, and if there had, there was no Money ; the 100000 l. being funk, and the Company's Credit not worth 2 d. and that they had stuck there, had it not been for some few Pillars of the Scots Company who mortgag'd their Estates ; for which the Company made over three of their Ships to them for their Security.

That there was no Provisions to be had then in Scotland, will readily be allow'd him, is sufficient to answer all his malicious Clamour against the Company, and to confute his own Objection, P. 155. in defence of his Masters, against the Company, for not sending them Provisions. That there was no Money, and that the Company's Credit was not worth 2 d. is confuted by himself, when he owns that a few of the Pillars rais'd 5000 l. and took three of the Company's Ships for Security. For that a few of the Pillars could raise 5000 l. and the Company have three new Ships, one of them of 70 Guns to give for Security ; and yet the Company's Credit not to be worth 2 d. is a palpable Contradiction.

That any of the Company Mortgaged their Estates to raise Money, is false ; they advanc'd it on their own Credit, as they might well do, it being well known there are several of them who have as much yearly Estate as the Sum he speaks of : Nor did they desire the Company's Ships in security, but only a Bond which it was reasonable they should have.

He comes next to give us an Account of the shortness of the Provisions, P. 46. and of his own Honesty in the mean time, in not acquainting the Commadore with it till they were three days at Sea ; perhaps he had embezel'd them himself, or Pocketed some of the Money, for he owns that he had some time before been concerned in the Victualling part, and therefore dar'd not to say any thing of it on Shore, lest it might have been prov'd upon him ; but however that is, this we are sure of, that the Company had Letters from their Ships at the Maderas, that

H 2 they

they had Twelve Months Provisions of all sorts, at sharp Allowance; and that if any thing fell short, it was likely to be their Bread: That they thought this to be true, may be reasonably concluded from his own Narrative, where he says the Council upon his Representation, design'd to send an Express from the *Orkneys*, to acquaint the Company with the shortness of their Provisions, which to be sure they would have done, had they been sensible that they were so short as he alledges: Besides, he owns they had full Eleven Months Allowance of Stock-fish at four Days in the Week; whence it is probable that they had other things in proportion.

The Reason why they had no more Beer but Ten Tun, was that the Seamen could not depend on the Beer because it spoils, they had great store of very good Water, and a very great quantity of Brandy which the Libeller takes no notice of. As for the Company's promising them Credit at the *Maderas*, it is false; nor was there any need of it, they had Pipe Staves and other Goods, which were thought proper for the *Maderas*, but if it did not answer so well as 'twas expected, 'twas but the common Misfortune of Merchants, who many times meet with such disappointments. Nor is it to be expected that a Nation of so little Experience in Trade as ours, should at first setting out, be free from Mistakes or Mismanagement, especially since we have such Invective Enemies to deal with, who make it their busines to get ill Men amongst us every where, on purpose to break our Design.

His next Reflection is on the small Allowance of Ready Money, which is sufficiently answer'd when we tell him their Cargo was reckon'd instead of it, and as has been already said, must needs be conceiv'd to be very proper for a Country where People go naked for want of Apparel. They had a great deal of Butter, and excellent Beef, of Scots Breed, by which we gain'd an Experiment contrary to the common Notion; for upon trial it was found to be better than the Irish, and therefore our Men serv'd to keep it last. His Objection as to its having been Eighteen Months in Salt is frivolous. Seamen think nothing of that, when they can carry Beef to the *East Indies* and back again, and keep it good all the while. His Charge upon *Dummelier* as having bought damniſhed Wheat for their Bread,

Bread, and put the Money in his Poket, is malicious and false : There's no Man but one of the Renegadoes Temper that can suspect that Worthy Gentleman to be capable of any such thing. Besides, the Bread was extraordinary good.

His Story, p. 50. about *Crab-Island*, is false ; the Company gave no positive Orders to leave any Men there, and its equally false that the *Danes* prevented our taking Possession of it, our Men were there before the *Danes* came from St. *Thomas*, the Governour of which suspecting our Design, upon the arrival of the *Unicorn* there, sent an Officer and Fifteen Men to Assert the King of *Denmark's* Right, after our Men went off from the Place, they saw the Danish Sloop in another Bay of the same Island call'd *French-Man's Bay*, and a Tent ashore with Danish Colours on it ; upon which Captain *Pennicook* Landed again, told them we were Possess'd before them, against which they offer'd their Protest to please the Court of *Denmark*, but wish'd with all their Hearts we might settle there, for we should be a good Bulwark to them against the Spaniards of *Porto-Rico*, who are very troublesome Neighbours.

It is false what he says p. 54. That Captain *Andreas*, after looking upon us at first Landing, did not come near us in three or four Weeks, for he came aboard us at first with some of his Men on the 2d of November, and brought his Travelling Wife with him on the 3d of November, when he came on Board again, and was very well satisfied with us : and on the 10th of the same Month, he and his Son, Wife and Sister, Din'd on Board us. And on the 30th of November he was invited on Board, handsomly Treated, and after having given a Rational Vindication of himself, as to the Matter suggested against him by the other *Darien* Captains or Princes ; and being inform'd of our real Design, which before he suspected to be Piracy, he desir'd a Commission from us, which was readily Granted and cheerfully Accepted ; and he solemnly promis'd to Defend us to the last drop of his Blood. That his Commission was left behind him in the Locker of the Round-House, cram'd in amongst empty Bottles, we have nothing but this Renegado's Word for it : but admitting it to be so, it does not therefore necessarily follow, that it was left there by *Andreas*, or his Order ; it is not to be suppos'd that a Per-

Person of his Note, could creep into the Round-House undiscover'd : and perhaps it may be no unreasonable Conjecture, to think that it was stole from him, and lodg'd there by this Renegado ; for he owns that it was himself that found it, and he knows the Proverb, *He that hides knows best where to find.*

His Story about *Andreas's Exit*, P. 60. That he fell, or was thrown down the Main Hatch-way of the *Caledonia* in the Night time, after a Quarrel with *Ambrosio*, the greatest of those Indian Captains, has such an Air of Malice and Falshood, that it requires better Evidence than that of a self-contradicting Libeller, before it can obtain belief with any Rational Man, or allowing it to be true, that he was actually tumbled down the Hatch-way in the Night time, it looks more like the Practice of such a Quarrelsome ill natur'd Person as himself, than of any Body else. They that know his Behaviour to his own Captain, when he was Surgeon on Board one of the King's Ships, his quarrelling with Captain *Pennicook*, Commadore of our Ships that went to *Darien*, and the whole Tenor of his Conversation, cannot think this any uncharitable Reflection. His unnatural Rancor against his Native Country, and unbounded Malice against the *Scots* Company, make it probable enough that he might do such a thing on purpose to render the Natives Enemies to the Colony, which he deserted himself about a Month after : And this is so much the more probable, because he exclaims against those on Board, for not taking care of *Andreas*, nor letting him bleed after his fall, since none was so proper to do it as himself, who was a Surgeon, and on Board the Ship at the time.

It is needless to insist any further on his Train of Falsifications and Inconsistencies in his Account of the Country, which being contrary, not only to all that have wrote of it, but also to the Journals and Letters sent from our Colony. We have better reason to say, that his Description is Calculated to the Humour of our Enemies, and his Suborners, than that the Colony's and Mr. *Wafer's* Accounts were Calculated to the Meridian of the *Scots* Company. To put this Matter out of all doubt, we shall here subjoin the first Letter sent from *Caledonia* by the Council of the Colony to the Company, which is the Testimony of six against one, Right

Right Honourable,

O U R Last to you was from the Maderas, of the 29th of Aug. and sent by the several ways of Holland and Portugal, to the Contents whereof we now refer, and in particular to the State of Provisions therewith sent, and which we now find doth considerably fall short even of what was then computed, by reason of the badness of the Cask. The account of the remaining part of our Voyage, together with the most material Transactions since, you may know by the enclosed Journal or Diary of our Proceedings.

We now send you our Letters and Dispatches by Mr. Alexander Hamilton Merchant, who takes the opportunity of passing to you by the way of Jamaica over England, to whom we desire you would order Forty Shillings Sterling to be paid Weekly, towards his Expences, during the time he shall stay with you, negotiating our Affairs.

The Wealth, Fruitfulness, Health and good Situation of the Country proves for the better, much above our greatest Expectation, which God Almighty seems to have wonderfully reserv'd for this Occasion, and now to have prepar'd our Way, and dispos'd the Indies to that purpose. In our Passage hither several of our Number have been taken from us by Death (whose Names we have herewith sent you) and whereof the loss of our two Ministers is the most sensible to us. We therefore intreat you would use your utmost endeavours with the General Assembly, for procuring others so supply that great want: As to the Country, we find it very healthful; for although we arriv'd here in the Rainy Season, from which we had little or no shelter for several Weeks together, and many Sick among us, yet they are so far recover'd, and in so good a State of Health as could hardly any where be expected among such a number of Men together; nor know we any thing here of those several dangerous and mortal Distempers so prevalent in the English and other American Islands.

In Fruitfulness this Country seems not to give place to any in the World: For we have seen several of the Fruits, as Cocoa-Nuts, whereof Chocolate is made, Bonellos, Sugar-Canes, Maize, Oranges, Plantains, Mangoe, Yams, and several others, all of them of the best of their kind any where found.

Nay there is hardly a Spot of Ground here but what may be cultivated: For even upon the very tops and sides of the Hills and Mountains, there is commonly three or four foot deep of rich Earth,

Earth, without so much as a Stone to be found therin. Here is good Hunting and Fowling, and excellent Fishing in the Bays and Creeks of the Coast ; so that could we improve the Season of the Year just now begun, we should soon be able to subsist of our selves ; but fortifying and building will lose us a whole Years planting.

By the want of Sloops, or small Coasting Vessels, we have hitherto had no opportunity of disposing any part of the Cargo, or doing other needful things.

Since the loss of the French Ship mentioned in the Journal, we understand that the Captain had an underhand Correspondence, in tampering with some of the Natives whom he intended to carry away with him, which heightens our Jealousy that the French have a design upon this Place, or at least to make a Settlement hereabout. And we heartily wish that our Most Gracious King were truly informed of what Consequence it will be both to his Greatness and Security, to countenance and encourage us his Loyal and Dutiful Subjects here, that our Prince and Country be not only depriv'd of so valuable a Jewel, but least the same should fall a Prey to some of our Rival Neighbours. This will be the Companies part to notice after these Dispatches shall come to hand,

You have inclosed a List of several Goods and Merchandises vendable and proper for this Place ; our Situation being incomparable for the Trade of the Coast, where (besides our Inland Trade) there is commonly but 2 or 3, or at most but 8 or 10 days sail to the best Places of Trade upon the Coast, and to the outmost considerable Islands adjoining. And we desire that particular Merchants in Scotland, and elsewhere, may be encouraged to trade and correspond hither ; in which we hope they will sufficiently find their Account.

We have also sent you a state of what Supplies of Provisions, Stores, and Merchant Goods are absolutely necessary for the present support of the Colony ; referring it to the Company to determine what reasonable Consideration they will have for the Sums that shall be advanced for that purpose : And we entreat, that all possible Expedition may be us'd in sending us these needful Supplies ; for without that we shall not only be incapable of making you suitable Returns, but this hopeful Undertaking, together with our selves will run no small risque of being inevitably lost. But however it be (by the help of God) we shall not fail to do our utmost in making speedy and suitable Returns ; and

and shall always account it our greatest Honour to expose our Persons, and all that's most near and dear unto us, in promoting this hopeful Design, as not only promising Profit and Glory to the Company, and all who are concern'd with them, but as being the likeliest means that ever yet presented towards the enabling our Countrymen to revive, recover, transmit to Posterity, the Virtue, Lustre, and wonted Glory of their Renown'd Ancestors: And to lay a Foundation of Wealth, Security, and Greatness to our Mother Kingdom for the present and succeeding Ages. In which we can no way doubt of your most hearty Concurrence and utmost Support. So praying Almighty God would bless and prosper the Company in all their Undertakings. We Remain,

Right Honourable,
Your Most Humble Servants,

Caledonia, New
Edinburgh, De-
cember, 28th
1698.

Robert Jolley.
J. Montgomery.
Dan. Mackay.
Rob. Pennicook.
Rob. Pincartone.
Will. Paterson.

P. S.

We intreat you to send us a good Ingineer, who is extreamly wanted here. This Place being capable of being strongly Fortified. You'll understand by ours from Maderas, the Danger as well as the Tediousnes of our Passage North about, so that if the Ships can conveniently be fitted out from Clyd, it will save a great deal of time in their Passage, and be far less hazardous.

This being from Men who knew the Misrepresentation of the Affair, must needs Issue in their own Ruin; cannot be suspected of disingenuity; and therefore must certainly over-balance the Evidence of a Renegado, who owns that he writes out of Malice.

The first defence he puts in the Company's Mouth is, their being baulk'd of Foreign Subscriptions, which made them lose Time and Money, whereby they could not send out such a number of Men and quantity of Provisions as the Project would have required. This is litterally true, let H—s and his Suborners answer it if they can. As for his Question, Why did they prodigally throw away 50000 l. in Holland and Hamburg, purely to make a Bluster

ster there ; and why did they trust to another Man's Purse till such time as they are sure of it ? We shall answer by asking him another Question, viz. Since he pretends to know the Secrets of the West end of the Town, why did our Government oppose our taking Foreign Subscriptions, since they had impowered us by Acts of Parliament, and Letters Patent to take them, and since 'twas such a thing as the like perhaps was never done ; what reason had we to suspect being baulk'd of our Foreign Subscriptions ? He himself own'd that the Hollanders and Hamburgers were fond of our Project, till our Government oppos'd us ; and therefore, by his own Confession, they are to blame for those disappointments. As to our taking Subscriptions in *Hamburgh* and *Holland*. We had reason to engage as many of our Protestant Neighbours in the Design as we could, that we might be the more able to defend our selves in case of Opposition ; which is neither ill Policy, nor inconsistent with Honesty.

The 2d Defence he puts in their Mouth, That their Ships were Man'd, no Provisions to be had in *Scotland*, more were providing abroad, and no more Money to be had from the Subscribers till once the Ships were Sail'd, is such as he and his Suborners will never be able to answer ; What could the Company do more, than take care to have Provisions abroad, when none were to be had at home ? And if the Subscribers would pay no more Money till the Ships put to Sea, there was a necessity of Sailing. His Objection as to the shortness of their Provisions, we have answer'd already, and shall add which he maliciously conceals ; That we sent a Ship with Provisions after them, which was cast away in *January*, for which we cannot be answerable ; and he himself owns we sent another Convoy in *May* ; Then since the Colony sent us Advice from the *Maderas*, dated *Aug. 29.* That they had still 8 Months large, and twelve Months short Allowance : The Company cannot justly be accus'd of supine Neglect, when they sent away one Ship with Provisions four Months after this notice, and two more in five Months after that, considering that they had no Provisions in *Scotland*, as the Libeller himself owns ; and that the Colony had a Cargo which might have bought them Provisions either from the Natives, if they had any to spare, which we could not doubt of by Mr. *Wafer's* Description, or from the English Colonies, had it not been for the Proclamation, which

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we had no reason to suspect would be issued at all, and much less in such a manner, in the Name of our own Prince, who was oblig'd to Protect us.

To the Causes he assigns for the Sailing of our Fleet without a greater quantity of Provisions, we shall add one more, *viz.* That we had reason to fear that our Enemies might prevent us; which Captain *Long's* being on those Coasts a Month before us, shews was not without Ground; no more than our Suspicion, that endeavours were used to surprize us into a War with the Spaniards, by *Long's* Men killing seven of them, as hath been already mention'd; and of his doing all he could to make us odious to the Natives, by telling them we were Pirates, and disobliging both *Ambrosio* and *Diego*, by fordid little Actions of his own, as Captain *Pennicook* gave us an Accoun in his Journal. A Grave Member of the Committee of Trade can give a more full Account of this, if he pleases; and when his hand is in, he would do well to assign us a Reason why that barbarous Murder committed by *Long's* Men, was never yet taken notice of by the Spaniards, since they have published such angry Memorials against us, who committed no Hostilities upon them.

His Objection to the third and fourth Reason relating to the Honesty of our Design, and the Cargoes not being proper, we have answer'd already. As for that of our Goods being seizable in *Jamaica* and other English Plantations, by the Act of Navigation, it's one of the Hardships we justly complain of, that was put upon us by the Enemies of our Nation in *Charles II's Reign*. But allowing it to be reasonable, it cannot have so much Equity in it, as the Laws which make it punishable by Death, to Rob and Murder. Yet the Execution of those are many times dispenc'd with in favour of Criminals, by his Majesty; and indeed a Power to dispence with the Execution of Law sometimes, to save the Life of a Subject, is one of the most Innocent Branches of the Prerogative; but we had much more reason to have expected a Dispensation in this Case, to save the Lives of so many of his Subjects, who had generously venter'd them for himself.

His owning, p. 148. and 154. That a Cargo of Provisions brought by two *Jamaica* Sloops, was bought by the Colony, besides as many Turtle as came to 100 and odd Pounds, for which he owns the Colony paid 'em; not only

contradicts what he says almost in the same breath, *That there was neither Money nor Moneys worth to be had in the Colony;* and that they laid out all their Stock of Ready Money for Wine at *Maderas*, p. 48. but may, together with their having both Provisions and Money when they came to *New York*, justly confirm our Suspicion, that there was a Mismanagement of the Provisions; since two Sloop's Cargo of Provision, 27 Pipes of Wine, 100 Pounds worth of Turtle, the Fish Plantains, Bonanocs, Potatoes, Indian Corn, Sojourns, or Land Crabs, which he says were plentiful at first added to their former Provisions which they own'd they had at the *Maderas*; together with the decrease of their Number of Men by Death was not enough to keep their Colony from starving for Nine Months. We have still the more reason to suspect this, because the Letter from *New York*, which brought us the first certain Account of the Disaster of our Colony, hinted as if there might be some Work for the Hangman. That there were more ill Men in the Colony than H———s is probable enough: and particularly that *Pennicook* was brib'd to raise Divisions in the Colony, and put all in disorder by his Insolence: which falling in with the Proclamations, that were concerted for our Destruction, gave a handle to other ill Men to foment the Divisions, and compleat the Ruin of the Colony by a total Desertion.

His Infuination, p. 154, That two *Jamaica* Sloops with Provisions return'd from the Colony without breaking bulk, because there was neither Money nor Market Goods there; deserves better Evidence than his own before it obtain Credit. We have indeed heard of one Vessel with Provisions, which insisted on such extravagant Rates, that the Colony would not incourage them to do the like in time to come; and therefore would not deal with them: hoping that their own Convoy might speedily come up; but this was before they knew any thing of the Proclamation, which cut off all their future hopes, ev'n from *Scotland*. We have also Letters from *New York*, that the Government of that Place seem'd to intend them no good; of which their desiring our Ships to come and Anchor under the Guns of the Castle, is a clear Proof; and the reason of this unkind Treatment is also explain'd to us, viz. That they suspected our Men had a design to return back as soon as they got Provisions. Nay, we have

have had advice, that their Gold Dust was actually refus'd at *Jamaica*, because of the Proclamations which we have reason enough to believe : since we cannot think that the Inhabitants there would be willing to incur the height of His Majesty's Displeasure to oblige the Scots. That our Men had Gold Dust from the Natives for Powder, Shot, and speckled Shifts : the Libelier owns himself, *P. 149*, and there he brags of it, that he brought off more himself at 3*l.* 10*s.* per Ounce, (how he came by it, is worth the inquiry) than most of the Councillors that are come home since ; and by Letters from *New York*, we have heard there was Money amongst them : By all which 'tis evident, That want of Money or Goods was not the sole Cause of their being denied Provisions from the English Plantations. His Insinuation, that the French and Dutch Islands would have supplied us if we had had Money or Goods, is ridiculous ; when the Government of both those Nations had so expressly declared themselves against us.

His Allegation in that same Page, that His Majesty knew nothing of the Colonies Settlement at *Darien*, but what he had at second hand, &c. till the Spanish Ambassador told him from his Master, is so notoriously false, that none but a Person of his Forehead could have advanced it, when the World knows that the Proclamation against us was publish'd in the *West-Indies* in *April*, and the Spanish Memorial was not deliver'd till *May* following. We should indeed be very glad to find that His Majesty knew nothing of those Proclamations ; and that his Name was made use of without his Consent ; as some say his Grandfathers was in the Irish Massacre : for then we might reasonably expect speedy Justice upon those bold Offenders, who dur'd to publish such Proclamations in His Majesty's Name, wherein we are condemn'd ; as having invaded the Spanish Dominions before ever it was heard what we could say for our selves, or without giving us any notice of those Proclamations, that we might have taken care to have preserv'd our Men from being starv'd to death by them : By which they have made our Prince to act more like our declared Enemy, than one that we had constantly lov'd and rever'd as Father of his Country : and that which is yet more cutting ; they still prevail to mislead him, so as he continues his unnatural Opposition to us : For besides the Proclamations formerly mentioned, another has been since

publish'd against us in *Barbadoes*, dated Sept. 15, which is so much the more unaccountable; considering the Memorial given in by our President and Advocate, justifying our Pretensions which the Spaniards have never yet offered to answer. By means of this Proclamation, the St. Andrew was denied Relief when she fell in with Admirel *Bembo*, who told her, tho they should all starve he could allow them none, and the like answer they had from the Governor of *Jamaica*, tho they offer'd Goods in Exchange; the like Opposition is also continued against us at home; for tho the Company have address'd His Majesty, yet 'tis without effect. After a full Representation of their Losses, they did wisely and dutifully desire the Parliament might meet, that being the propereft way to have the sinking Honour of the Company supported; but His Majesty instead of granting their reasonable desires, was prevail'd upon by those who are Enemies to our Country, to prorogue it further at the very time when they knew the Addres was coming up, and all the Answer thought fit to give them, is, *That His Majesty is sorry for the loss of his Ancient Kingdom and of the Company, that they shall have the same liberty to trade to the West-Indies as formerly; and that he will call the Parliament when he thinks the good of the Nation requires it,* or to that effect. It may easily be judged, that this Answer could be no way satisfactory to the Company in such a Juncture: nor are we to wonder, if instead of cheering their Spirits, it struck them dumb, and fill'd them with Amazement. We wish that those who advise His Majesty to such a Conduct towards the People of *Scotland*, who have never been backward in testifying their Loyalty and Affection to his Person and Government; would consider that this is a downright Violation of our Constitution. It's certain that none are so proper to give his Majesty advice, when a Parliament is necessary as our own Nobility Gentleman and Burroughs, who are most of them concern'd in our Company: and therefore their Addres ought to haye been more regarded than the advice of any particular Persons.

This false Method of Government hath ruin'd many of our Princes, and we wish that those who put his Majesty upon such Measures, may not have his ruin in prospect. It is certain they can be none of his Friends, who put him upon dis obliging of the whole Kingdom of *Scotland* in this manner.

We come next to the Libeller's Defence of the Spanish Title

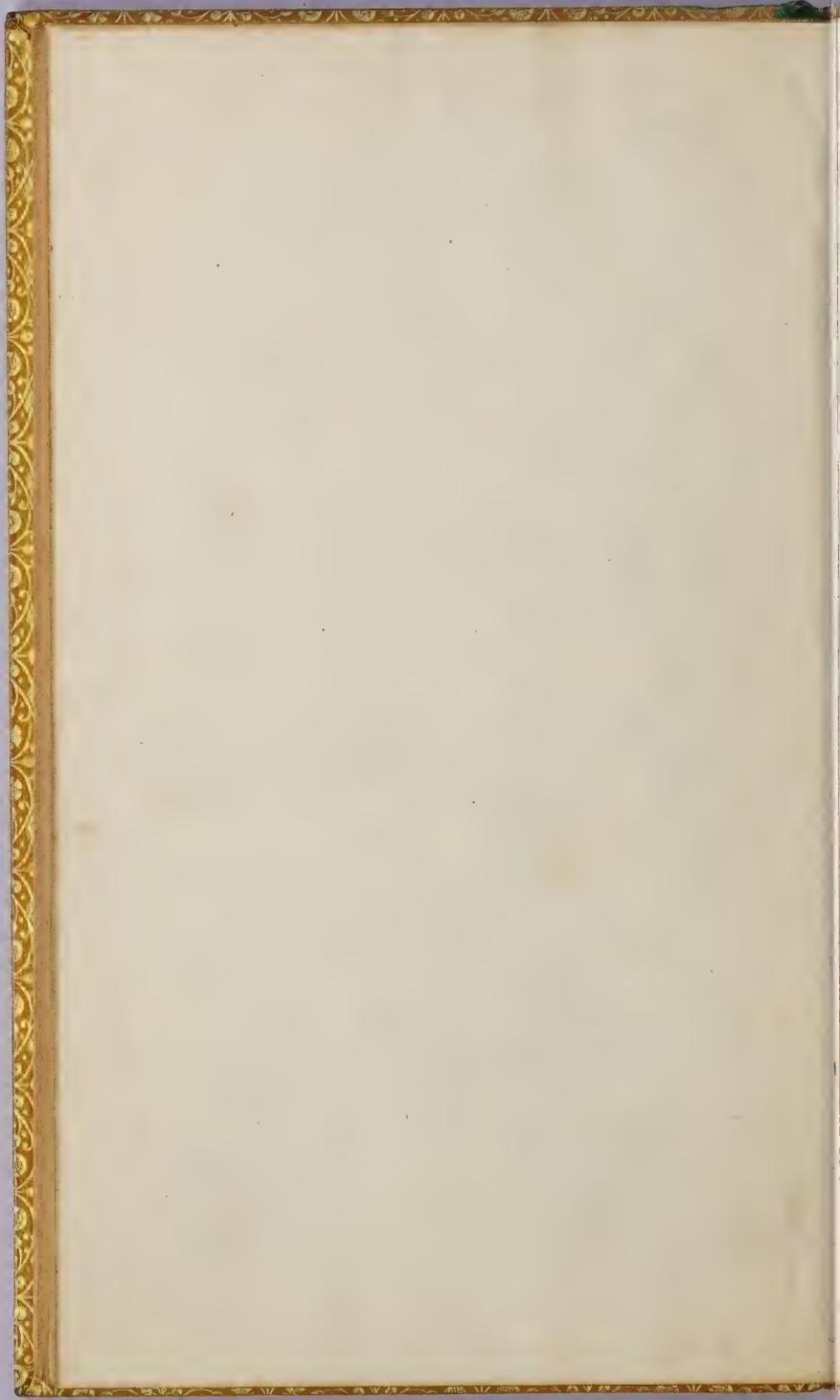
Title to *Darien*, p. 163. His first Argument, That the Spaniards Title to that Country was never hitherto disputed by any Prince or State, is a downright Falshood. The *Darien* Princes themselves controverted it always, and their Plea was allow'd to be good by the Judges of *England*, as we have been forc'd to tell this Renegado and his Suborners again and again. The Title of the Spaniards as Conquerours to any part of *America*, is not only doubted by the Bishop of *Cheapo*, *Don Bartholomew de Los Casas*, mention'd in the Defence of the Scots Settlement, but strenuously argu'd against and maitain'd to be unlawful, in his Propositions concerning the Title of the King of *Spain* to *America*, propos'd to the Consideration of the King of *Spain* himself. In his ninth Proposition he asserts, " That when Christian
 " Princes apply their Endeavours to propagate the Faith,
 " they ought to have no Consideration for any thing but
 " the Service of God—— Or if they can do any thing for
 " the advantage of their Dominions while they augment
 " the Kingdom of Christ : It ought to be without any
 " considerable prejudice to the Infidels or the Princes that
 " Govern them—— Prop. 10. He asserts, They have their
 " own lawful Kings and Princes, who have a Right to
 " to make Laws, &c.— For the good Government of their
 " respective Dominions, so that they cannot be expell'd out
 " of 'em, or depriv'd of what they possess, without doing
 " Violence to the Laws of God as well as the Law
 " of Nations. Prop. 26. Seeing the Spaniards have not
 " been supported either by the Authority of their Prince,
 " or any lawful Reason to make War against the Indians,
 " who liv'd peaceably in their own County, and had
 " done the Spaniard no wrong ; all such Conquests that
 " have been or may hereafter be made in the Indies, are
 " to be accounted Unjust, Tyranical and Null, being
 " condemned by all the Laws of God and Men. Its true
 he supposes the K. of *Spain* to have a Title to the Sovereignty of the Indies, by the Popes Grant ; but it is with such Restrictions as those he mentions ; and in his 16 Proposition says the Pope, has power to revoke it, if it be found prejudicial to the Establishment of the Faith ; and he expressly declares throughout his Book, that all the Methods taken by the Spaniards were such, so that here's one strong Evidence of their own against them. ---*Dominicus de Soto* ; the K. of *Spain*'s Confessor at the time seems by his summing up the Dispute betwixt this Bishop and

Dr.

Dr. Sepulveda to have been of the same Opinion; and Sepulveda's Books, maintaining the contrary were suppress'd by the Emperor, Charles V.

Of the same Opinion, and indeed more express against the Methods, by which the Spaniards acquir'd their Dom'ns in the Indies, is, *Franiscus a Vitoria*, chief Professor of Divinity, in the University of Salamanca, (whom the Emperor Charles V. consulted in Cases of Conscience, and in this amongst others) as may be seen in his *Relectiones Theologicae, Relectione 5. de Indis*, where he argues the Point at large, and in *Relect. 7. de jure bell*, lays down this as a Maxim, *That an Injury receiv'd is the only just Cause of making War.* So that it being plain from Matter of Fact that the Indians did no manner of Injury to the Spaniards; their War upon them must of necessity by this Argument be unlawful. More has been said already in Vindication of our Title, in the defence of the Scots Settlement, than the Renegado and his Suborners can answer; therefore we shall wind up this Matter in a few Words more.

His alledging we might as well land in *Jamaica*, where the wild Negroes have derided their Masters, or in *Tobago, &c.* serve only to discover his own Policy. There's no unconquer'd Natives, who have their own Princes to govern them in either of those Islands, nor are the Titles of the English and D. of *Curland*, to those Places question'd. The Irish having admitted French Troops into their Kingdom is as little to the purpose, since they have had no shadow of Government or Sovereignty, left them for several Ages, have from time to time submitted to the Government of *England*, and admitted those Troops in defence of the late K. James's Title, which he derives from *Hen. II.* that Conquer'd them. Besides, the Libeller himself owns, p. 54. that the Natives themselves were pleas'd with the hopes of being restor'd by us to their Ancient Liberty and Greatness; and p. 55. That *Ambroso* one of their greatest Captains, was at War with the Spaniards before our Arrival. His al-leaging that Cap^t. *Andreas* was a Spanish Captain at the time of our Landing, needs better proof than his assertion: that he might be then at Peace with the Spaniards, and have some respect for them because of his being bred among them, as *H-* says he was, p. 60. and that they then gave him a Commission as a Captain, does not at all argue that he was in the Spanish interest when we Landed, or any way subject to the Crown of Spain; if he himself promised subjection, it does not divest his Subjects of their Right, and that *Andreas*'s Successor and they were no Friends to the Spaniards, is evident from the Libeller's own Story, that they gave our Colony notice of the Spanish Party that came to view them, and led them to the place where they were: We have likewise the Testimony of all that have writ of this Place, against the Renegado, besides that of the Journals of our own Colony, which give an Account that *Ambroso* had engag'd all his Neighbouring Princes in a League against the Spaniard, before our Arrival. F I N I S.



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